FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FD-340 (Rev. 8-7-97)

1A2

Universal Case File Number 249A-CV-59719

Field Office Acquiring Evidence _____

Serial # of Originating Document _____

Date Received _____

From _____
(Name of Contributor)

_____
(Address of Contributor)

_____

By [redacted] _____

b6
b7C

To Be Returned ☐ Yes ☑ No
Receipt Given ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure
☐ Yes ☑ No

Title: Unsuks;
Guardian Industries, Inc;
Environmental Crimes Matter

Reference: _____
(Communication Enclosing Material)

_____

Description: ☑ Original notes re interview of

[redacted] _____

b6
b7C

_____

_____

_____

(Home)

[redacted]

b6
b7C

2/10/99

[redacted]

Guardian Industries
24145 Martin-Molina Rd.
Millburn, OH 43447

9/9/44

[redacted]

[redacted]

Poss Mon. 12/7/98. Learned compressor blew seal & leaked oil. Following day about 4:30 pm EPA showed up. [redacted] did not know details, referred to [redacted] & [redacted] EPA said had checked pond, No oil. EPA asked to see ditch out back. Saw NO oil. At end of ditch saw light material w/ orange smell. Smelled like cleaner used in plant. EPA asked how got their. Did not know - speculated engine cleaning, busted hydraulic lines. EPA said had to clean up. Recomended a company to clean. Company came out cleaned. EPA later analyzed & determined was citrus cleaner.

After own invest. began, asked people what really happened. Was told pit hose in pit too deep, pumped out water instead of oil. Only had 4 barrels. Stuck finger in & truly believed was water. Dumped in drain to re use drums. Heard this from [redacted] Wed 2/3 or Thurs 2/4.

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When last looked & did? Unknown.

1st learned of dumping when? Last week.

At the Mon a.m. mtg, attended by supervisors, HR folks, salesmen, etc. Compressor was mentioned as normal course - these things discussed @ this mtg.

Does not know who cleaned compressor spill.
Does not know if citrus used.

IDS works w compressors + re-claims oil. Would have been logical Co. to call to salvage the oil. No knowledge re stmts to EPA guys that IDS had picked up drums when had w. Does w recall anyone making such a stmt. Showed the drums to the EPA guys - surprised if EPA folks missed.

No knowledge re Safety Clean. Aware generally that would take awhile to get done. No knowledge who made decisions on this.

Does w believe [redacted] part of speculating a ditch about @ how citrus got there. [redacted] w there. Believes just [redacted], himself, EPA guy + clean up rep. Had no knowledge @ that time that water had been dumped.

Citri-Sol

Understanding now is that.

b6
b7C

FD-340 (Rev. 8-7-97)

Universal Case File Number 249A-CV-59719 1A3

Field Office Acquiring Evidence _____

Serial # of Originating Document _____

Date Received _____

From _____
(Name of Contributor)

_____
(Address of Contributor)

_____
(State)

By _____ b6 b7C
(Name of Special Agent)

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure

☐ Yes ☑ No

Title: UNSubs;
Guardian Industries, INC.;
ENVIRONMENTAL CRIMES MATTER

Reference: _____
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

Notes from various interviews

2/4/99

b6
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[redacted]

[redacted]. Past a Thurs.

Pumped water out

Was told to help maintenance. Told by [redacted] said would dump water but ~ oil. Would stop when water gone - leave oil.

Was from an air compressor catchment tank. Believes was regular cleaning. Compressor went down & sent oil everywhere.

[redacted] was [redacted] ok'ed [redacted] helping Maintenance.

& [redacted] pumped & dumped.

Used a pump from rental co. Name unknown. Rented by Maintenance. Hoses also.

Began about 3:15 or soon after shift started. [redacted]

Believes [redacted] was instructed to do it.

Dumped 4. 4 left. Filled all 4 and dumped at one time. [redacted] [redacted] said to take out there.

b6
b7C

[redacted] said dump in storm drain. At first was only water, but then began to see a film. Told [redacted] ~ sure should be doing. After 4 barrels [redacted] said stop & left higher up ~~dec~~ decide what to do. Pumped out 4 more drums & set beside bldg.

Turned barrels over & let drain. Believed were dumping water. Knew was a storm drain to creek. Looked like water running out.

[redacted] reports to [redacted] said to wait & went inside. ~~Heard~~ Paged. Soon thereafter [redacted] came back out & said don't dump more. Fill barrels again & set outside.

Believes
~ Pit was ~ empty when pumped last 4 barrels. [redacted] decided enough pumped out after 8 barrels. Only had 4 barrels. [redacted] told him to find them.

One had been full of solvent. ~ cleaned before they filled. Leave rest other 3.

1-2 days later EPA came. Was ~ instructed to ~ talk. Incident ~ discussed again.

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[redacted] lives on

Pay often dump looked @ creek. Usual duty to check perimeter, equip. Saw creek. Last time saw was clean — probably 1 wk before. [redacted] was w/. Was surprised b6 Did n expect that result. b7C

Creek (water) was orange colored. No smell. Isolated to area just around drain. Rocks n coated, n on bank.

Storm drain might have had other stuff - hydraulic fluid from trucks w/ broken lines.

Barrels wrapped in plastic for containment. Haven't seen in about a month.

2/4/98

b6
b7C

[redacted]

Air comp. blew. Oil pushed down drain into holding tank. Tried to contain w/ dry sock up stuff.

Came in @ 3pm, possibly Texas Weed - unsure. Told had to pump drain. [redacted] said this. Believes [redacted] told, and to hear.

[redacted] said had rented pump. + hoses. [redacted] Answers to [redacted] Unknown who rented pump, or from where. Sitting by receiving doors.

Needed to be pumped out because of oil. Popped manhole - saw oil inside. capacity unk. [redacted], & [redacted] pumped out. [redacted] carried out on forklift.

[redacted] took off manhole cover. Water very dark brown - has seen oil in water before, & that's what it looked like. Pit is probably 6'x6' liquid approx 5' deep.

[redacted] got the 4 barrels. [redacted] said Needed to pump at least 150 gallons.

started was to pump oil. Filled 4 barrels of water. Were told to lift hose higher to get oil.

[redacted] carried the 4 barrels away to be dumped.

Water pumped out was cloudy - ~ a lot of oil, somewhat clear. Grey in color. No orange.

(2)

[redacted] had [redacted] dump barrels. [redacted] b6 b7C
had come down & talked to [redacted] said
engineer said to dump outside. [redacted]
was [redacted]

[redacted] looked @ barrels & said had to raise hose to get oil. Had to dump water to empty barrels so could put in oil. Does ~ believe plan was to dump oil in drain.

When filled barrels 2nd time w/ oil, then nothing but water left in pit. Barrels still there, wrapped on a pallet. Saw yesterday.

What does [redacted] w/ (cont'd to Next pg.)

~~Didn't see the mess in creek.~~ Later saw some orange in creek. Believes was Sunday following dump. b6 b7C

Does ~ know if attempt made to clean drain.

Two barrels were empty orange solvent barrels. May have been a little in the bottom.

[redacted] dumped. [redacted] stayed in plant.

[redacted] told guys ~ to discuss w/ others @ plant. No reason given. Same day EPA there, maybe while still there.

[redacted] accompanied EPA guys.
Believes was Mon. after dump.

Filled 2 clear plastic barrels first. Murky water. Other two barrels were metal. Could ~ see what was inside - possibly put in some oil. Held hose over drum hole. Spewed a few times - looked like the rest. (in plastic barrels). [redacted] held hose in pit.

(3)

[redacted]

b6
b7C

All 3 realized was bad when saw crank. Orange & white. Went out on break. No insp. of pointer - just a cig. break.

[redacted] showed the pump when came to work.

[redacted]

[redacted] is position now holds.

b6
b7C

[redacted]

2/10/99

[redacted]

Guardian Industries
24145 Moline-Martin Rd.
Millbury, OH 43447

[redacted]

1st knew of stuff in creek when EPA guys found it. EPA noted citrus odor. Asked what it was. No idea. Speculated was from washing fork trucks. Busted hydraulic lines.

Knew compressor down when told Sat. night. Did n know it lost oil until Mon.

Compressor apparently blew on a Thurs. Night. N back in plant until Mon. Did n learn of until Mon. Concern re compressor was to fix/replace. This compressor supplies air pressure for plant.

After EPA left, asked [redacted] exactly what happened. Said Safety Kleen had to do sample. But had to get oil out to get compressor on line. Decided to pump out. Rented Pump. Put hose too deep - pumped out water. Wanted oil out, so dumped water & reused drums to pump oil into.

EPA found Citri Kleen in ditch in analysis. Discovered that a cleaner barrel had been used to hold & dump water.

[redacted] was in charge of cleaning up. Did n have equip. to pump - only shop Vac & buckets - so had to rent pump.

No rush to get oil out. Just needed to be done. Did n want to leave. That pit is part of water line clean out system. Oil in pit did n hold up production.

(2)

~ sure why pit is even there. Never cleaned before. Unsure where lines go to & come from.

On Mon. [redacted] told about the oil clean up. [redacted] said [redacted] told him about water from bottom of pit dumped. After creek exam, after EPA gone. b6 b7C

Next day had conversation w/ [redacted] discussed above. [redacted] already gone when told of dumping. [redacted] was here when EPA here, but ~ involved in the discussions. [redacted] leaves @ 5pm.

[redacted] then told scenario of compressor leaking, [redacted] wanted to pump oil into barrels, hose too deep & got water. Dumped water to re-use drums to get oil.

Did ~ call EPA to explain because remediation undertaken as ordered & submitted report w/in 30 days as req'd. Believed this was all that was necessary. Included in report the info EPA [redacted] said wanted covered.

Since IDS was compressor co., [redacted] decided to have IDS handle instead of Safety-Kleen.

Cleanup cost about $14,000.

[redacted]

1/22/99

b6
b7C

Safety Kleen

Fri. in Dec '98 (possibly 12/4)

Was on transp. side - Guardian Transportation
Separate Bldg.

Cleans out oil/water separators & wash bay basins. Pumps into his truck.

That day was there in resp. to call that they had spill. Went to transp. side 1st, directed to the factory bldg.

Spoke to [redacted] - said had prob - maintenance would take back. Said compressor had blown up & [redacted] overflowed. Substance which overflowed was oil. Had gone into the oil/water separator. He had never been in before to empty those separators.

Separator was 180 gal. capacity - he measured.

Spoke w/ [redacted] - decided to get a sample 1st. So informed [redacted] talked over w/ his maintenance guys & said ok. Price #495 - No reaction from [redacted] re price.

Took sample. Checked, 3-4 other separators adjacent - just had water, no oil.

Compressor in same area as separator. Compressor directly above separator (separator is under floor.) Oil probably got in thru edges around lid.

Maintence guy said there was also oil in creek out back. [redacted] Said there was a sheen. He saw just a small drop in water, no rainbow ~ stains on bank. Maintenance guy found a spill into creek - but [redacted] saw no evidence. b6 b7C

A coolant process equip. is outside [redacted] on an underground platform 10' from creek. Looked inside, saw no oil, etc. (Compressor w/ in 50 yds of creek)

Brought sample back.

Saw no drums outside. Believes there was a manhole cover nearby.

[redacted]

Guardian called Przewlawski (branch industrial mgr. (12)5) said ~ to do sample. [redacted] told [redacted] Mon (12/7) ~ to do sample. [redacted] did ~ say why - was left on answering machine.

No more contact w/ Guardian re this incident.

Leda [redacted] bumped into a friend who works @ Guardian, friend asked why did ~ get the spill cleanup k. Said did ~ know. Believes works @ shipping & receiving in factory bldg. Est: 100 employees in factory.

(Friend) [redacted] LNU [redacted]

[redacted]

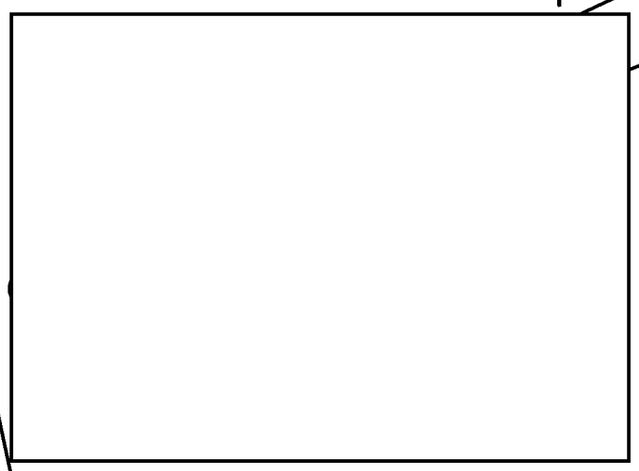
(3)

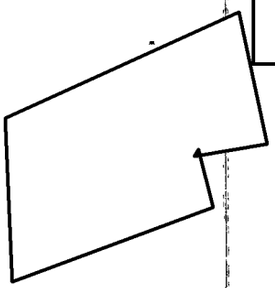
Was there today (1/22) Head mechanic on Transp. side named [redacted] b6 b7C said a kid dumped the 180 gals. & another company named "Hypo" something was hired to clean.

b6
b7C

6/26/99

2/19/99





Compressor blew, spilled 40 gal. of special oil. Cleaned up w/ oil dry. IDS serviced compressor. W/in a week of spill discovery.

Prior 12/4/98 [redacted] Noticed a floor drain leaking. Inspected thru manhole & found oil on water.

[redacted] opened all manholes & asked where they went. Said had oil & needed to clean.

12/4/99 Safety Klean came out. Rep. talked to [redacted] maybe [redacted] Said had to do sample 1st [redacted] could pump out & put in drums. Decided to have IDS handle since was compressor service. [redacted] made this decision & call.

Figured needed 4-5 drums. Thought cap. was 130 gals. Tried to use elec. pump. Too thick. Went to [redacted] Co. to rent pump.

Bulkhead to the elec. pump for the dairy stuff & the maintenance guys.

[redacted] instructed maintenance guys to pump out oil.

3- plastic 35 gal. drums.
2- metal 55 gal. drums.

About 4:30 p [redacted] advised drums full. [redacted] examined & determined was water. Clear plastic 35 gal. drums. Looked like water - could see bottom of drum.

Did ~ know went to ditch. Thought went to sewer dept.

No more drums. So ordered to dump out back into drain. [redacted] drove drums out on fork lift. Did ~ go out there.

b6
b7C

Next day came back to work. Returned pump. No wtd. anything wrong.

[redacted] That night [redacted] called. Advised [redacted] telling everyone it dumped. Going to call EPA. Sat. 12/5 Advised drain went to ditch.

Pit is below water table so is always full of water. If had ~ had the constant inflow of water, would have had enough drums. 130 gal. is proper amt., except for the inflow. Pit drains to sanitary sewer.

1"-1½" top coat in ~3' dia. pit.

Water in pit is from equip. in plant. Cleaning of glass ~~prior~~ to lamination process. Pure water. No soaps, etc. Glass coated w/ [redacted] "nut flour" - ground walnuts. This + dust washed off.

Poss. 12/9

~~1st~~ learned re condition of ditch

Learned Mon. or Tues. that EPA coming out. Did ~ even know [redacted] ditch there until the 5th Did ~ actually see until the cleanup was begun. Knew EPA came because someone had told something was dumped.

12/9 had discussion w/ [redacted] re what happened on 12/4. I was ~ aware water was dumped down drain. Wrote a memo for [redacted] outlining what had happened.

Told [redacted] to dump only the plastic ones. In ~~steel~~ steel ones could see some oil thru hole, so told ~ to dump those. Believes looked in both - ~ sure.

Believes dumped only the 3 plastic ones. Plastic drums had held a water treatment for algae growth in cooling tower. Metal drums prob. held mineral spirits or safety solvents. [redacted] gathered the plastic drums. Does ~ know who got metal ones or where from. This was all the empty drums on site.

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b7C

When [redacted] said drums full, also said had just put hose in hole. [redacted] had told to just put @ top. Told [redacted] went too deep - just needed to skim the top couple ∞ inches. Told to dump the plastic drums. [redacted] or [redacted] might have heard him tell to dump just plastic ones.

Did ~ make call to cancel Safety Kleen. Believes made by [redacted]

Does ~ believe used citrus cleaner to clean floor. Believes used just oil dry. 90% sure no citrus used. Maintenance + FDS did cleaning. Calculated a 1½ gal to 2 gal. in pit (1½" to 2" in top coat in a 3' dia. pit).

Safety Kleen would take a week to do analysis. Did ~ want oil to stay in pit. Prob. afraid it would drain + escape. Was ~ part of this decision process.

2/19/99

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[redacted] Endorsed approx. [redacted]

Prior to this @ [redacted]

[redacted]

Unsure exact dates. Compressor #2 blew. Spilled oil. During afternoon or Midnite shift.

Midnite crew does cleaning & adjusting P&M. Put down oil dry for oil around compressor.

Maintnce called to unclog a small floor drain. Noticed water on top of manhole cover near compressor. Had cover pulled to see what was clogging - eg oil dry. Opened & saw oil inside.

Was ~ sure where drained. Forecast was for rain & worried was part of drainage syst & would drain. Decided to pump [redacted] out.

Had Safety Kleen come to pump out. [redacted] said would have to do an analysis before could pump. Take a wk. [redacted] decided to rent pump, & pump into drums. Tried an elec. pump, but would ~ work. Oil too thick. Rented a diaphram pump. Rented from [redacted] w/ hose. Got back after lunch. Went w/ [redacted] Got set up & ready to pump just about 3 pm shift change.

(2)

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[redacted] instructed [redacted] in front of [redacted] to pump out pit. Explained rain coming would cause to drain. Told to put in barrels. Told him to find the barrels. Left about 4:00 pm. Believes had begun pumping when left. Did ~ discuss further.

Said [redacted] telling people had oil spill trying to cover up by pumping in drums.

Saturday had interview here @ plant for prospective employee. Afterwards, [redacted] informed that [redacted] was talking re oil spill.

Went to [redacted] to quell rumor. [redacted] upset @ end of conversation. [redacted] told what he was telling people. Was ~ true completely. [redacted] had heard (probably from [redacted] that [redacted] had said to Safety Klean guy in front office area, planned to set pump to avoid probs. w/ EPA. Told [redacted] to mind his own business, in essence.

[redacted] said nothing re dumping.

Following Tues. (EPA in on Mon.) found out about dumping. [redacted] told about water dumped. To that point, believed all from pit was in barrels. [redacted] said put hose too deep & got water in barrels. [redacted] told to dump & refill - holding hose @ surface.

When last saw ditch? Approx 2 wk. ditch was clear then.

Mon. had a mtg w/ Steph. supervisor. Advised [redacted] telling info from front off. Prob. w/ this behavior before. Believes step was punished.

Had called Safety Klean on Sat. to cancel. Decided to use IDS instead since under K for such things. Left a message on [redacted] voice mail. Would have cost $495, when IDS would do for free. Did ~ realize this when first called Safety Klean. Learned afterwards from [redacted]

(3)

His understading from [redacted] was b6 b7C
that had sucked out water & filled barrels.
[redacted] dumped out back.
Understands was orange solvent in ditch,
from one of the barrels probably. Heard
this from [redacted] as results of analysis
came back. Said probably came from
barrels holding water. No suggestion that
ditch was that way prior to dumping.

Universal Case File Number 249A-CV-59719-1A4

Field Office Acquiring Evidence _____

Serial # of Originating Document _____

Date Received _____

From Ohio EPA
(Name of Contributor)

_____
(Address of Contributor)

_____

By [redacted] b6 b7C
(Name of Special Agent)

To Be Returned ☐ Yes ☒ No
Receipt Given ☐ Yes ☒ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure
☐ Yes ☒ No

Title: Unsubs;
Guardian Industries, Inc;
Environmental Crimes Matter

Reference: _____
(Communication Enclosing Material)

_____

Description: ☐ Original notes re interview of

Various records re Guardian Industries

_____

_____

_____

 b6 b7C

~~CONFIDENTIAL~~

OhioEPA INITIAL POLLUTION INCIDENT REPORT

SPILL I.D #: 9901-88-0047 DISTRICT: NW

REPORTED BY: [redacted]
TITLE:
TELEPHONE:
AFFILIATION:

REPORTED: 01/07/19 13:04
DISCOVERED: / / : 0
OCCURRED: / /

DID SPILLER REPORT? N COMPLAINT? Y PRIORITY: 4

SUSPECTED SPILLER: GUARDIAN INDUSTRIES
MAILING ADDRESS:

TELEPHONE:

COUNTY: WYANDOT CITY/TOWNSHIP: UPPER SANDUSKY
LOCATION: 12688 SR 67
SOURCE: OTHER CAUSE: DUMPING / DISPOSAL
REASON: CITIZEN COMPLAINT
LATITUDE: LONGITUDE: WATERWAY AFFECTED:
MEDIA AFFECTED: LAND OR LAND SURFACE

DID YOU TELL THE SPILLER TO CALL THE N.R.C.? N LOCAL EPC? N BUSINESS: N SARA REPORT: N
RECEIVED BY [redacted]

PRODUCT SPILLED

PRODUCT	AMOUNT	UOM	REPORTABLE QTY	SIZE	TYPE	EHS
SOLVENTS		UNK		L	C	

OTHER AGENCIES NOTIFIED

AGENCY	DATE	TIME	PERSON
RRS/SIS			[redacted]

b6 b7C

REMARKS

CALLER CLAIMS THAT COMPANY DUMPS DRUMS OF SOLVENT IN THE REAR OF THE FACILITY, ONTO THE GROUND, EVERY DAY. FORK LIFT DRIVERS TAKE SKIDS OF DRUMS OUT BACK ON THE WEST SIDE. APPROX 2-4 DRUMS ARE DUMPED DAILY. PLANT EMPLOYES SEVERAL HUNDRED PEOPLE, FOR FOUR 12 HOUR SHIFTS. COMPANY MAKES AUTO WINDSHIELDS. CALLER SAYS COMPANY HAS A SISTER PLANT IN AUBURN, IN, THAT CONDUCTS BUSINESS THE SAME WAY. COMPANY IS OWNED BY THE OWNER OF THE DETROIT PISTONS.

b6
b7C

ride the light

Qwest.

To: [redacted]

Company: USEPA

Fax Number [redacted]

Date: 1.4.99 Time: _____

From: [redacted]

Phone No.: [redacted]

Fax No.: [redacted]

Page 1 of 3 Pages (including this cover page)

Comments:

[redacted]

Please call me with any questions!

We hope this helps~ we apologize for the delay in getting this to you!

Thank You~ [redacted]

b6
b7C

test.TXT
DOMESTIC USAGE Call Detail

Toll Free # 800-686-6930

Minutes	Date	Time	Per	Calling Number	Calling City
	12/09	12:08P	D		WATERVILLE ,OH
.46		.02			
	12/09	12:38P	D		FINDLAY ,OH
.81		.04			
	12/09	12:39P	D		FINDLAY ,OH
.18		.01			
	12/09	12:45P	D		FINDLAY ,OH
.51		.02			
	12/09	12:50P	D		WORTHINGTN ,OH
.63		.03	P		
	12/09	12:52P	D		CLEVELAND ,OH
2.81		.13			
	12/09	12:58P	D		FINDLAY ,OH
.51		.02			
	12/09	01:06P	D		TOLEDO ,OH
1.25		.06			
	12/09	01:08P	D		WATERVILLE ,OH
5.43		.24			
	12/09	01:15P	D		FINDLAY ,OH
11.93		.54			
	12/09	01:21P	D		TOLEDO ,OH
1.81		.08			
	12/09	01:27P	D		TOLEDO ,OH
4.48		.20			
	12/09	01:29P	D		WAYNEBRDNR ,OH
1.60		.07			
	12/09	01:51P	D		WHITEHOUSE ,OH
.71		.03			
	12/09	01:57P	D		SYLVANIA ,OH
2.71		.12			
	12/09	01:59P	D		KENT ,OH
.80		.04			
	12/09	02:00P	D		KENT ,OH
2.38		.11			
	12/09	02:01P	D		WHITEHOUSE ,OH
2.41		.11			
	12/09	02:02P	D		TOLEDO ,OH
8.16		.37			

b6
b7C

test.TXT

	12/09	02:05P	D	TOLEDO ,OH
.35		.02		
	12/09	02:07P	D	NAPOLEON ,OH
8.86		.40		
	12/09	02:12P	D	NEW LONDON ,OH
.95		.04		
	12/09	02:19P	D	DEFIANCE ,OH
32.96		1.48		
	12/09	02:23P	D	PERRYSBURG ,OH
.85		.04		
	12/09	02:32P	D	WOODVILLE ,OH
3.56		.16		
	12/09	02:35P	D	TOLEDO ,OH
4.83		.22		
	12/09	02:43P	D	TOLEDO ,OH
8.65		.39		
	12/09	02:55P	D	FREMONT ,OH
.76		.03		
	12/09	03:01P	D	FREMONT ,OH
.56		.03		
	12/09	03:05P	D	COLUMBUS ,OH
17.63		.79		
	12/09	03:15P	D	TOLEDO ,OH
3.36		.15		
	12/09	03:20P	D	TOLEDO ,OH
.81		.04		
	12/09	03:27P	D	TOLEDO ,OH
.43		.02		
	12/09	03:29P	D	COLUMBUS ,OH
1.36		.06		
	12/09	03:33P	D	TOLEDO ,OH
13.50		.61		
	12/09	03:42P	D	SHELBY ,OH
1.18		.05		
	12/09	03:42P	D	PAULDING ,OH
.66		.03		
	12/09	03:43P	D	TOLEDO ,OH
.48		.02		
	12/09	03:50P	D	WESTLAKE ,OH
1.40		.06		
	12/09	03:52P	D	WESTLAKE ,OH
1.90		.09		
	12/09	03:53P	D	PAULDING ,OH
6.15		.28		
	12/09	03:54P	D	COLUMBUS ,OH
9.33		.42		
	12/09	03:55P	D	PERRYSBURG ,OH
1.03		.05		

b6
b7C

Quanterra Environmental Services

Date: 12/20/98
Time: 19:57:26
(Mountain Time)

From: [redacted]
Quanterra Inc.
4101 Shuffel Drive NW
North Canton, OH 44720
voice: [redacted]
fax:

To: [redacted]
Ohio EPA-NWDO
[redacted]

Number of Pages
Including Cover Sheet: 06

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Quote Number :27238
Project Number :SPILL #9812-62-4842
Project Name/Site :QNW981208-ER01

This is an automated feature provided by Quanterra Environmental Services.

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QUANTERRA INCORPORATED

PRELIMINARY DATA SUMMARY

The results shown below may still require additional laboratory review and are subject to change. Actions taken based on these results are the responsibility of the data user.

Ohio EPA-NWDO PAGE 1
Lot #: A8L110114 QNW981208-ER01 Date Reported: 12/20/98
Project Number: SPILL #9812-62-4842

PARAMETER	RESULT	REPORTING LIMIT	UNITS	ANALYTICAL METHOD	
Client Sample ID: GAUDIAN 55-GAL DRUM (TOP LAYER)					
Sample #: 001 Date Sampled: 12/08/98 16:15 Date Received: 12/10/98 Matrix: WASTE					
Volatile Organics by GC/MS					Reviewed
Benzene	ND	620	ug/kg	SW846 8260A	
Bromobenzene	ND	1200	ug/kg	SW846 8260A	
Bromodichloromethane	ND	620	ug/kg	SW846 8260A	
Bromoform	ND	620	ug/kg	SW846 8260A	
Bromomethane	ND	1200	ug/kg	SW846 8260A	
n-Butylbenzene	ND	1200	ug/kg	SW846 8260A	
sec-Butylbenzene	ND	1200	ug/kg	SW846 8260A	
tert-Butylbenzene	ND	1200	ug/kg	SW846 8260A	
Carbon tetrachloride	ND	620	ug/kg	SW846 8260A	
Chlorobenzene	ND	620	ug/kg	SW846 8260A	
Chlorodibromomethane	ND	620	ug/kg	SW846 8260A	
Chloroethane	ND	1200	ug/kg	SW846 8260A	
Chloroform	ND	620	ug/kg	SW846 8260A	
Chloromethane	ND	1200	ug/kg	SW846 8260A	
2-Chlorotoluene	ND	1200	ug/kg	SW846 8260A	
4-Chlorotoluene	ND	1200	ug/kg	SW846 8260A	
1,2-Dibromo-3-chloro-propane	ND	1200	ug/kg	SW846 8260A	
1,2-Dibromoethane	ND	620	ug/kg	SW846 8260A	
Dibromomethane	ND	620	ug/kg	SW846 8260A	
1,2-Dichlorobenzene	ND	1200	ug/kg	SW846 8260A	
1,3-Dichlorobenzene	ND	1200	ug/kg	SW846 8260A	
1,4-Dichlorobenzene	ND	1200	ug/kg	SW846 8260A	
Dichlorodifluoromethane	ND	1200	ug/kg	SW846 8260A	
1,1-Dichloroethane	ND	620	ug/kg	SW846 8260A	
1,2-Dichloroethane	ND	620	ug/kg	SW846 8260A	
1,1-Dichloroethene	ND	620	ug/kg	SW846 8260A	
cis-1,2-Dichloroethene	ND	310	ug/kg	SW846 8260A	
trans-1,2-Dichloroethene	ND	310	ug/kg	SW846 8260A	
1,2-Dichloropropane	ND	620	ug/kg	SW846 8260A	
1,3-Dichloropropane	ND	620	ug/kg	SW846 8260A	
2,2-Dichloropropane	ND	1200	ug/kg	SW846 8260A	
1,1-Dichloropropene	ND	1200	ug/kg	SW846 8260A	
Ethylbenzene	ND	620	ug/kg	SW846 8260A	
Hexachlorobutadiene	ND	1200	ug/kg	SW846 8260A	
Isopropylbenzene	ND	1200	ug/kg	SW846 8260A	
p-Isopropyltoluene	ND	1200	ug/kg	SW846 8260A	

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QUANTERRA INCORPORATED

PRELIMINARY DATA SUMMARY

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Ohio EPA-NWDO PAGE 2
Lot #: A8L110114 QNW981208-ER01 Date Reported: 12/20/98
Project Number: SPILL #9812-62-4842

PARAMETER	RESULT	REPORTING LIMIT	UNITS	ANALYTICAL METHOD
Client Sample ID: GAUDIAN 55-GAL DRUM (TOP LAYER)				
Sample #: 001 Date Sampled: 12/08/98 16:15 Date Received: 12/10/98 Matrix: WASTE				
Volatile Organics by GC/MS				Reviewed
Methylene chloride	1700	620	ug/kg	SW846 8260A
Naphthalene	ND	1200	ug/kg	SW846 8260A
n-Propylbenzene	ND	1200	ug/kg	SW846 8260A
Styrene	ND	620	ug/kg	SW846 8260A
1,1,1,2-Tetrachloroethane	ND	620	ug/kg	SW846 8260A
1,1,2,2-Tetrachloroethane	ND	620	ug/kg	SW846 8260A
Tetrachloroethene	ND	620	ug/kg	SW846 8260A
Toluene	ND	620	ug/kg	SW846 8260A
1,2,3-Trichlorobenzene	ND	1200	ug/kg	SW846 8260A
1,2,4-Trichlorobenzene	ND	1200	ug/kg	SW846 8260A
1,1,1-Trichloroethane	ND	620	ug/kg	SW846 8260A
1,1,2-Trichloroethane	ND	620	ug/kg	SW846 8260A
Trichloroethene	ND	620	ug/kg	SW846 8260A
Trichlorofluoromethane	ND	1200	ug/kg	SW846 8260A
1,2,3-Trichloropropane	ND	620	ug/kg	SW846 8260A
1,2,4-Trimethylbenzene	ND	1200	ug/kg	SW846 8260A
1,3,5-Trimethylbenzene	ND	1200	ug/kg	SW846 8260A
Vinyl chloride	ND	1200	ug/kg	SW846 8260A
o-Xylene	ND	620	ug/kg	SW846 8260A
m-Xylene & p-Xylene	ND	620	ug/kg	SW846 8260A
Surrogates outside acceptance criteria due to demonstrated matrix effect.				
Extractable Petroleum Hydrocarbons				Reviewed
Total Petroleum Hydrocarbons-Extractable	17000	5000	mg/kg	SW846 8015 MOD
Inorganic Analysis				Reviewed
Method for Flash Point by Pensky-Martens	>180		deg F	ASTM D 93-90
Client Sample ID: GAUDIAN 55-GAL DRUM (BOTTOM LAYER)				
Sample #: 002 Date Sampled: 12/08/98 16:15 Date Received: 12/10/98 Matrix: WATER				

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QUANTERRA INCORPORATED

PRELIMINARY DATA SUMMARY

The results shown below may still require additional laboratory review and are subject to change. Actions taken based on these results are the responsibility of the data user.

Ohio EPA-NWDO PAGE 3
Lot #: A8L110114 QNW981208-ER01 Date Reported: 12/20/98
Project Number: SPILL #9812-62-4842

PARAMETER	RESULT	REPORTING LIMIT	UNITS	ANALYTICAL METHOD	
Client Sample ID: GAUDIAN 55-GAL DRUM (BOTTOM LAYER)					
Sample #: 002 Date Sampled: 12/08/98 16:15 Date Received: 12/10/98 Matrix: WATER					
Inorganic Analysis					Reviewed
Method for Flash and Fire Points	>180		deg F	ASTM D 92-90	
Client Sample ID: GADIAN STORM SEWER DISCHARGE (TOP LAYER)					
Sample #: 003 Date Sampled: 12/08/98 16:00 Date Received: 12/10/98 Matrix: WASTE					
Volatile Organics by GC/MS					Reviewed
Benzene	ND	12000	ug/kg	SW846 8260A	
Bromobenzene	ND	24000	ug/kg	SW846 8260A	
Bromodichloromethane	ND	12000	ug/kg	SW846 8260A	
Bromoform	ND	12000	ug/kg	SW846 8260A	
Bromomethane	ND	24000	ug/kg	SW846 8260A	
n-Butylbenzene	ND	24000	ug/kg	SW846 8260A	
sec-Butylbenzene	ND	24000	ug/kg	SW846 8260A	
tert-Butylbenzene	ND	24000	ug/kg	SW846 8260A	
Carbon tetrachloride	ND	12000	ug/kg	SW846 8260A	
Chlorobenzene	ND	12000	ug/kg	SW846 8260A	
Chlorodibromomethane	ND	12000	ug/kg	SW846 8260A	
Chloroethane	ND	24000	ug/kg	SW846 8260A	
Chloroform	ND	12000	ug/kg	SW846 8260A	
Chloromethane	ND	24000	ug/kg	SW846 8260A	
2-Chlorotoluene	ND	24000	ug/kg	SW846 8260A	
4-Chlorotoluene	ND	24000	ug/kg	SW846 8260A	
1,2-Dibromo-3-chloropropane	ND	24000	ug/kg	SW846 8260A	
1,2-Dibromoethane	ND	12000	ug/kg	SW846 8260A	
Dibromomethane	ND	12000	ug/kg	SW846 8260A	
1,2-Dichlorobenzene	ND	24000	ug/kg	SW846 8260A	
1,3-Dichlorobenzene	ND	24000	ug/kg	SW846 8260A	
1,4-Dichlorobenzene	ND	24000	ug/kg	SW846 8260A	
Dichlorodifluoromethane	ND	24000	ug/kg	SW846 8260A	
1,1-Dichloroethane	ND	12000	ug/kg	SW846 8260A	
1,2-Dichloroethane	ND	12000	ug/kg	SW846 8260A	
1,1-Dichloroethene	ND	12000	ug/kg	SW846 8260A	
cis-1,2-Dichloroethene	ND	6200	ug/kg	SW846 8260A	
trans-1,2-Dichloroethene	ND	6200	ug/kg	SW846 8260A	

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QUANTERRA INCORPORATED

PRELIMINARY DATA SUMMARY

The results shown below may still require additional laboratory review and are subject to change. Actions taken based on these results are the responsibility of the data user.

Ohio EPA-NWDO PAGE 4
Lot #: A8L110114 QNW981208-ER01 Date Reported: 12/20/98
Project Number: SPILL #9812-62-4842

PARAMETER	RESULT	REPORTING LIMIT	UNITS	ANALYTICAL METHOD	
Client Sample ID: GADIAN STORM SEWER DISCHARGE (TOP LAYER)					
Sample #: 003 Date Sampled: 12/08/98 16:00 Date Received: 12/10/98 Matrix: WASTE					
Volatile Organics by GC/MS					Reviewed
1,2-Dichloropropane	ND	12000	ug/kg	SW846 8260A	
1,3-Dichloropropane	ND	12000	ug/kg	SW846 8260A	
2,2-Dichloropropane	ND	24000	ug/kg	SW846 8260A	
1,1-Dichloropropene	ND	24000	ug/kg	SW846 8260A	
Ethylbenzene	ND	12000	ug/kg	SW846 8260A	
Hexachlorobutadiene	ND	24000	ug/kg	SW846 8260A	
Isopropylbenzene	ND	24000	ug/kg	SW846 8260A	
p-Isopropyltoluene	ND	24000	ug/kg	SW846 8260A	
Methylene chloride	ND	12000	ug/kg	SW846 8260A	
Naphthalene	ND	24000	ug/kg	SW846 8260A	
n-Propylbenzene	ND	24000	ug/kg	SW846 8260A	
Styrene	ND	12000	ug/kg	SW846 8260A	
1,1,1,2-Tetrachloroethane	ND	12000	ug/kg	SW846 8260A	
1,1,2,2-Tetrachloroethane	ND	12000	ug/kg	SW846 8260A	
Tetrachloroethene	ND	12000	ug/kg	SW846 8260A	
Toluene	ND	12000	ug/kg	SW846 8260A	
1,2,3-Trichlorobenzene	ND	24000	ug/kg	SW846 8260A	
1,2,4-Trichlorobenzene	ND	24000	ug/kg	SW846 8260A	
1,1,1-Trichloroethane	ND	12000	ug/kg	SW846 8260A	
1,1,2-Trichloroethane	ND	12000	ug/kg	SW846 8260A	
Trichloroethene	ND	12000	ug/kg	SW846 8260A	
Trichlorofluoromethane	ND	24000	ug/kg	SW846 8260A	
1,2,3-Trichloropropane	ND	12000	ug/kg	SW846 8260A	
1,2,4-Trimethylbenzene	ND	24000	ug/kg	SW846 8260A	
1,3,5-Trimethylbenzene	ND	24000	ug/kg	SW846 8260A	
Vinyl chloride	ND	24000	ug/kg	SW846 8260A	
o-Xylene	ND	12000	ug/kg	SW846 8260A	
m-Xylene & p-Xylene	ND	12000	ug/kg	SW846 8260A	

Elevated reporting limits due to HCs.

Extractable Petroleum Hydrocarbons					Reviewed
Total Petroleum Hydrocarbons-Extractable	34000	5000	mg/kg	SW846 8015 MOD	

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QUANTERRA INCORPORATED

PRELIMINARY DATA SUMMARY

The results shown below may still require additional laboratory review and are subject to change. Actions taken based on these results are the responsibility of the data user.

Ohio EPA-NWDO PAGE 5
Lot #: A8L110114 QNW981208-ER01 Date Reported: 12/20/98
Project Number: SPILL #9812-62-4842

PARAMETER	RESULT	REPORTING LIMIT	UNITS	ANALYTICAL METHOD	
Client Sample ID: GADIAN STORM SEWER DISCHARGE (TOP LAYER)					
Sample #: 003 Date Sampled: 12/08/98 16:00 Date Received: 12/10/98 Matrix: WASTE					
Inorganic Analysis					Reviewed
Method for Flash Point by Pensky-Martens	108		deg F	ASTM D 93-90	
Client Sample ID: GADIAN STORM SEWER DISCHARGE (BOTTOM LAYER)					
Sample #: 004 Date Sampled: 12/08/98 16:00 Date Received: 12/10/98 Matrix: WATER					
Inorganic Analysis					Reviewed
Method for Flash and Fire Points	>180		deg F	ASTM D 92-90	

Ohio EPA

State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402-9398
(419) 352-8461 FAX (419) 352-8468

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: [redacted] b6 b7C

COMPANY/DIVISION: ST

FAX NUMBER: _____

FROM: [redacted]

DIVISION: OEPA ER

TOTAL NUMBER OF PAGES INCLUDING COVER LETTER: 13

COMMENTS:

_____

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 b6 b7C

OhioEPA INITIAL POLLUTION INCIDENT REPORT

SPILL I.D #: 9812-62-4842 DISTRICT: NW

REPORTED BY: [redacted] b6 b7C
TITLE:
TELEPHONE:
AFFILIATION: COMPANY

REPORTED: 12/08/98 15:58
DISCOVERED: 12/08/98 15:38
OCCURRED: / / 0

DID SPILLER REPORT? Y COMPLAINT? N PRIORITY: 4

SUSPECTED SPILLER: GUARDIAN INDUSTRIES
MAILING ADDRESS: 24145 W MOLINE MARTIN RD
MILLBURY OH 43047
TELEPHONE:

COUNTY: OTTAWA TOWNSHIP: ALLEN TWP
LOCATION: 24145 W MOLINE MARTIN RD
SOURCE: OTHER CAUSE: DISCHARGE/BYPASS TREATMENT
REASON: OTHER
LATITUDE: 0 LONGITUDE: 0 WATERWAY AFFECTED: HOLDING POND
MEDIA AFFECTED: SURFACE WATER/STORM SEWERS

DID YOU TELL THE SPILLER TO CALL THE N.R.C.? N LOCAL EPC? N BUSINESS: N SARA REPORT: N
RECEIVED BY: [redacted] b6 b7C

PRODUCT SPILLED

PRODUCT	AMOUNT	UOM	REPORTABLE QTY	SIZE	TYPE	EHS
SHEEN		UNK		S	H	

OTHER AGENCIES NOTIFIED

AGENCY	DATE	TIME	PERSON
RTK			LUFKIN

REMARKS

[redacted] ON SCENE. SHEEN ENTERING DRAINAGE DITCH FROM COMPANY PROPERTY.

DEC-17-98 THU 02:30 PM OHIO EPA FAX NO. [redacted] P.06/13 b6 b7C

OHIO EPA EMERGENCY RESPONSE SECTION
DISTRICT OFFICE INVESTIGATION REPORT

SPILL # : 9812-62-04842 PAGE: 1

SPILL STATUS F02 OSC [redacted]

	DATE	TIME	REPORTED BY
REPORTED	12/08/98	15:58	TITLE
DISCOVERED	12/08/98	15:38	AFFILIATION-
OCCURRED	/ /		TELEPHONE

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---ENTITY INFORMATION---

NAME/COMPANY GUARDIAN INDUSTRIES
ADDRESS 24145 W MOLINE MARTIN RD
MILLBURY-OH- 43047
TELEPHONE 419 855 7706
SPCC PLAN REQD N SPCC PLAN IN EFFECT N

---CONTACTS---

[redacted]

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---REPRESENTATIVES---

[redacted]

---SPILL LOCATION INFORMATION---

COUNTY OTTAWA LATITUDE 413335.1
CITY/TWP ALLEN TWP LONGITUDE 832400.8
LOCATION 24145 W MOLINE MARTIN RD
WATERWAY DRAINAGE DITCH (TRIBUTARY TO CRANE CR.)
LENGTH 0.003
LAND AREA VEGETATION IN TRIBUTARY BOTTOM
PRE RESPONSE ACTION NONE

---PRODUCTS SPILLED---

PRODUCT		AMOUNT	UOM	TYPE
CP-4100 SERIES (ESTER)		20.0	GAL	H
PREMIUM SAFE DEGREASER	UNK. AMT.	0.0	UNK	

SOURCE FIXED FACILITY BUSINESS OTHER
CAUSE DUMPING / DISPOSAL
REASON DELIBERATE ACTION
MEDIA AFFECTED SURFACE WATER/STORM SEWERS

---SAMPLE INFORMATION---

FIELD SAMPLES		LAB SAMPLES	
TYPE	NUMBER	TYPE	NUMBER
		FLASH PT (IGNITABLE)	2
		TYPE HYDROCARBON	2
		TOTAL PETROLEUM HYDROCARBONS	2

---SUPPLIES USED---

TYPE	QUANTITY
GLOVES (OIL & CHEMICAL)	4.000
GLASS SAMLING RODS(17MM-20MM)	1.000

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OHIO EPA EMERGENCY RESPONSE SECTION
DISTRICT OFFICE INVESTIGATION REPORT

SPILL # : 9812-62-04842 PAGE: 2

TYPE	QUANTITY
ABSORBENT PADS	4.000
PLASTIC ZIP-LOCK BAGS	3.000

---SUPPORTING DOCUMENTS---

DOCUMENT NAME	DOCUMENT DATE	# OF PAGES
NOTICE OF VIOLATION	12/08/98	1
MATERIAL SAFETY DATA SHEET	12/08/98	2
MATERIAL SAFETY DATA SHEET	12/08/98	4
PHOTOS/SLIDES	12/08/98	5
CHAIN OF CUSTODY	12/09/98	1

---REFERRALS---

NAME	AGENCY	DATE SEEN
	OHIO EPA/S.I.	12/09/98
	OHIO EPA/SURFACE WATER	12/08/98

---NOTIFICATIONS---

AGENCY NAME	DATE SENT	PERSON
RTK	/ /	

---REMARKS---

12/08/98

OSC

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1300 HOURS- AT 1100 HOURS, (OHIO EPA SURFACE WATER GROUP LEADER) RECEIVED A PHONE CALL FROM A UNKNOWN PERSON WHO STATED THAT THE COMPANY HE WORKED FOR HAD PUMP A HEAVY OIL SUBSTANCE FROM A PIT UNDER A MACHINE INSIDE THE PLANT INTO 55 GALLON DRUMS ON 12/04/98. EARLIER IN THE WEEK THE COMPANY REPS. HAD CHECKED WITH A LOCAL WASTE HAULER WHO HAD PROVIDED THEM WITH A COST ESTIMATE FOR THE DISPOSAL OF THE WASTE OIL. THE UNKNOWN REPORTED HAD INFORMED THAT THE COST OF DISPOSAL WAS TO HIGH, AND THE DRUMS WERE EMPTIED INTO A STORM SEWER DRAIN WHICH DRAINED INTO A DRAINAGE DITCH ADJACENT TO A MARSH AREA, AND ALONG A SET OF RAIL TRACKS IN OTTAWA COUNTY. THE UNKNOWN COMPLAINT ALSO INFORMED THAT THE COMPANY OFFICIALS KNEW THAT THE OIL HAD ENTERED THE DRAINAGE DITCH. THE UNKNOWN COMPLAINT WOULD NOT GIVE THE LOCATION OR THE NAME OF THE PLANT DUE TO THE FACT THAT HE WAS AFRAID THAT THE COMPANY WOULD BE SHUT DOWN BY OHIO EPA. HE HAD ALSO BEEN PUT IN CONTACTED WITH (OHIO EPA/SOLID WASTE) AND (OHIO EPA HAZ. WSTE). THE INFORMATION PROVIDED BY THE COMPLAINT WAS THAT THE PLANT WAS IN OTTAWA CO., ALONG A RAIL TRACK, AND WAS A PLANT WHICH HAD MACHINERY OIL. AFTER RECEIVING THE REPORT FROM I CONTACTED THE OTTAWA COUNTY EMA HAZ. MAT. DIR. WHO WAS INFORMED OF THE REPORT, AND STARTED TO CHECK INTO POSSIBLE SOURCE FACILITIES. I ALSO CONTACTED THE LOCAL WASTE HAULER IN THE AREA (IDENTIFIED BY , WHO PROVIDED ME WITH POSSIBLE SOURCES IN OTTAWA COUNTY. AT 1430 HOURS, I ARRIVED ON BILLINGS ROAD ON THE EAST SIDE OF THE GUARDIAN INDUSTRIES CORP. PROPERTY. ON THE NORTH SIDE OF THE PLANT, A CONRAIL RAIL TRACK WAS LOCATED WITH A DRAINAGE DITCH ON THE NORTH AND EAST SIDE OF THE PLANT. A MARSH AREA WAS ALSO LOCATED BETWEEN THE PLANT AND THE RAIL TRACKS (AS DESCRIBED BY THE UNKNOWN COMPLAINT). WHILE WAITING FOR TO ARRIVE ON SCENE, I CHECKED THE DRAINAGE DITCHES (TRIBUTARY TO CRANE CREEK) ADJACENT TO THE EAST SIDE OF THE PLANT AND ALONG THE SOUTH SIDE OF THE RAIL TRACK. THE WATER IN THESE WATERWAYS WERE CLEAR OF ANY PETROLEUM SUBSTANCE SHEEN. WHEN ARRIVED ON SCENE, WE WENT TO THE MAIN OFFICE OF GUARDIAN INDUSTRIES, AND MET

419 855 7706) WHO INFORMED US THAT THE COMPANY HAD A OIL LEAK UNDER A MACHINE WITHIN THE PLANT APPROXIMATELY A WEEK TO A WEEK AND A HALF AGO. [redacted] PUT US IN CONTACT WITH [redacted] SHOWED US THE AREA WHERE THE OIL HAD LEAKED INTO A INSIDE PIT UNDER A PLANT MACHINE. ON 12/04/98 [redacted] STATED THAT COMPANY WORKERS HAD PUMPED THE OIL FROM THE PIT AREA INTO 55 GALLON DRUMS, AND OTHER CONTAINERS FOR LATER DISPOSAL. [redacted] STATED THAT THE DRUMS (APPROX. 4 DRUMS) WERE TO BE DISPOSED OF BY I.D.S. INSIDE THE PIT AREA, SATURATED OIL DRY WAS OBSERVED UNDER THE MACHINE, AND THE AREA AROUND THE MACHINERY APPEARED TO HAVE BEEN CLEANED UP. AFTER CHECKING THE PIT AREA, WE CHECKED THE STORM DRAINAGE ALONG THE EAST AND NORTH SIDE OF THE PLANT. IN THE DRAINAGE DITCH LEADING FROM THE NORTHWEST SIDE OF THE PLANT A HEAVY OIL WAS OBSERVED IN THE WATERWAY DISCHARGING FROM A STORM SEWER TILE ON THE NORTHWEST SIDE OF THE PLANT (AT THE TRUCK LOADING DOCK AREA). THIS OIL WAS OBSERVED IN THE DITCH FOR APPROXIMATELY 300 FEET, AND HAD COATED THE VEGETATION IN THE WATERWAY. THE OIL HAD NOT REACHED THE DRAINAGE DITCH ALONG THE RAIL TRACKS. IN ADDITION TO THE OIL A STRONG ODOR OF CLEANING SOLVENT WAS NOTED, AND THERE WAS A CLOUDY WHITE DISCOLORATION IN THE WATER COLUMN. UNDER THE TANNISH BROWN OIL LAYER. [redacted] STATED THAT THEY DID NOT KNOW WHERE THE OIL WAS COMING FROM, AND THAT THE STORM SEWER DISCHARGE TILE WAS A SINGLE LINE DRAINING THE WEST SIDE OF THE PLANT LOADING/OUTSIDE STORAGE AREA. IN THE NEXT TWO STORM SEWER CATCH BASINS NO OIL WAS DETECTED, BUT THERE WAS A STRONG ODOR OF SOLVENT CLEANER (CITRUS). AFTER DISCOVERING THE OIL AND SOLVENT IN THE WATERWAY, [redacted] WAS PROVIDED THE OHIO EPA CONTRACTORS LIST, AND THE REPORTING PHONE NUMBERS AND REQUIREMENTS. I WAS ALSO GIVEN PERMISSION TO TAKE A SAMPLE FOR THE WASTE STORAGE 55 GALLON DRUMS (SAMPLE #2) WHICH WERE LOCATED ON THE NORTHWEST SIDE OF THE PLANT. A SAMPLE (SAMPLE #1) WAS TAKEN FROM THE WATERWAY DOWNSTREAM OF THE STORM SEWER DISCHARGE. PHOTOS WERE TAKEN OF THE PIT AREA INSIDE THE PLANT, THE WATERWAY, AND THE 55 GALLON DRUMS WITH THE WASTE COLLECTED FROM THE PIT AREA. THESE DRUM HAD NO LID CAPS, AND THERE WAS NO OIL STAINING ON THE CEMENT PAD UNDER THE DRUMS. THE OIL IN THE WASTE DRUMS HAD THE SAME TANNISH BROWN COLOR, AND THE APPEARED TO BE A LARGE AMOUNT OF WATER IN THE DRUMS. A SLIGHT STAIN (WEATHERED) WAS DETECTED AROUND THE STORM SEWER CATCH BASIN JUST UPSTREAM FROM THE STORM SEWER DISCHARGE. AFTER SAMPLES AND PHOTOS WERE TAKEN, I PROVIDED [redacted] WITH AN N.O.V., AND HE HIRED E.Q. [redacted] WHEN [redacted] ARRIVED ON SCENE, HE WAS SHOWN THE OIL/SOLVENT IN THE WATERWAY, AND WILL START TO PUMP THE DRAINAGE DITCH AND STORM SEWER OUT. ON 12/09 E.Q. WILL REMOVE THE CONTAMINATED VEGETATION AND SOIL OF THE BOTTOM OF THE DITCH FROM THE STORM SEWER, AND THE STORM SEWER WILL BE JET ROTTED CLEAN. BEFORE LEAVING THE SCENE, THE SAMPLES WERE TRANSFERRED TO [redacted] AND GROUP LEADER [redacted] WAS UP-DATED.

12/10/98

OSC [redacted]

AT 0845 HOURS, I WAS CONTACTED BY [redacted] WHO UP-DATED ME ON THE CLEAN-UP. [redacted] STATED THAT E.Q. WORKERS HAD VACUUMED APPROXIMATELY 2000 GALLONS OF THE OIL SUBSTANCE/WATER FROM THE WATERWAY AND STORM SEWER SYSTEM, REMOVED 75 FEET OF CONTAMINATED VEGETATION AND SOIL FROM THE DITCH BOTTOM, AND JET ROTTED THE STORM SEWER SYSTEM. [redacted] STATED THAT THE RECOVERED LIQUID MATERIAL HAD FAILED FOR FLASH POINT. AFTER TALKING WITH [redacted] I UP-DATED GROUP LEADER [redacted] AND [redacted] (OHIO EPA SI). AT THIS TIME THE MATERIAL IN THE WATERWAY HAS BEEN CLEANED UP, AND E.Q. IS HANDLING DISPOSAL. THIS INCIDENT HAS BEEN REFERRED TO [redacted] FOR FURTHER FOLLOW-UP. SAMPLES #1 AND #2 HAVE BEEN SENT OUT ON 12/09/98 BY OSC [redacted]

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OHIO EPA, EMERGENCY RESPONSE SECTION
DISTRICT OFFICE INVESTIGATION REPORT

TIME ACCOUNTING INFORMATION

SPILL #: 9812-62-04242 PAGE: 4/1

OSC [redacted] b6 b7C

DATE 12/08/98 VISIT NO 1 TOTAL MILEAGE 54

ARRIVAL TIME 1430 DEPARTURE TIME 1800

TIME CODE	REGULAR	OVERTIME	TOTAL
0969	2.00	1.50	3.50
0022	1.50	0.70	2.20
		TOTAL TIME	5.70

TOTAL TIME 5.70 TOTAL MILEAGE 54

GRAND TOTAL
TOTAL TIME 5.70 TOTAL MILEAGE 54

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12/08/98 TUE 17:18 FAX [redacted] I.D. # S. 9812-62-4842 spill 001 b6 b7C

CPI ENGINEERING SERVICES, INC.
Material Safety Data Sheet
2300 James Savage Rd.
Midland, Michigan 48642
PH: (517) 496-3780
FACSIMILE: (517) 496-2313

Emergency Number: (517)496-3780

Section 1 Product Name and Information

Product(Trade Name and Synonyms): CP-4100 Series
Chemical Name: Ester
Chemical Family: Diester
Formula: Proprietary
CAS#: Proprietary

Section 2 Components and Hazard Statement

This product is non-hazardous. The product contains no known carcinogens. No special warning labels are required under OSHA 29 CFR 1910.1200.

Section 3 Safe Handling and Storage

Handling. Do not take internally. Avoid contact with skin, eyes, and clothing. Upon contact with skin, wash with soap and water. Flush eyes with water for 15 minutes and consult physician. Wash contaminated clothing before reuse.

Storage. Keep container tightly sealed when not in use.

Post-it® Fax Note [redacted]	Date 12/8	# of pages ▶ 4
To [redacted]	From [redacted]	
Co./Dept.	Co. TDS	
Phone #	Phone #	
Fax #	Fax #	

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Section 4 Physical Data

Appearance: Clear liquid, yellow to light brown tint
Boiling Point: > 400°F
Vapor Pressure:<0.01mmHg @ 20°C
Specific Gravity(water=1):0.94-0.97
Volatiles, Percent by Volume: 0%
Odor: Mild, distinct
Solubility in Water: Negligible
Evaporation Rate(butyl acetate=1): Nil

Section 5 Fire and Explosion Hazards

Flash Point (by Cleveland Open Cup): 480-540°F
Flammable Limits: not established
Autoignition Temperature: no data
HMIS Ratings:

Health:	0
Flammability:	1
Reactivity:	0

NFPA Ratings: not established

Extinguishing Media: Dry chemical; CO_2 foam

Unusual Fire and Explosion Hazards: None

Special Fire Fighting Techniques: Burning fluid may evolve irritating/noxious fumes. Firefighters should use NIOSH/MNSA-approved self-contained breathing apparatus. Use water carefully to cool fire-exposed containers. Spraying water directly on hot or burning liquid may cause frothing or splashing.

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Section 6 Reactivity Data

Stability: Stable
Hazardous Polymerization: Will not occur
Incompatible Materials: Strong oxidizers, caustic or acidic solutions
Conditions to Avoid: Excessive heat
Hazardous Decomposition Products: Analogous compounds evolve carbon monoxide, carbon dioxide, and other unidentified fragments when burned. See Section 5.

Section 7 Health Hazard Data

Threshold Limit Value: not established
Situations to Avoid: Avoid breathing oil mists
First Aid Procedures:

Ingestion: Consult physician at once. May cause nausea and diarrhea.
Inhalation: Product is not toxic by inhalation. If oil mist is inhaled, remove to fresh air and consult physician.

To the best of our knowledge the toxicity of this product has not been fully investigated. Analogous compounds are considered to be essentially non-toxic.

Section 8 Personal Protection Information

Respiratory Protection: Use in well ventilated area
Ventilation: Local exhaust
Protective Gloves: Not required, but recommended, especially for prolonged exposure.
Eye/Face Protection: Goggles

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Section 9 Spill or Leak Procedures

In Case of Spill: Wear suitable protective equipment, especially goggles. Stop source of spill. Dike spill area. Use absorbent materials to soak up fluid(i.e. sand, sawdust, and commercially available materials). Wash spill area with large amounts of water. Properly dispose of all materials.

Section 10 Waste Disposal Methods

Incinerate this product and all associated wastes in a licensed facility in accordance with Federal, state, and local regulations.

The information in this material safety data sheet should be provided to all who use, handle, store, transport, or are otherwise exposed to this product. CPI believes the information in this document to be reliable and up to date as of the date of publication, but makes no guarantee that it is.

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Spill # 9812-62-4842

M-48

PREMIUM SAFE-S(

Natural Degreaser Orange

Cold Solvent

CAUTION:
Combustible Liquid • Harmful if swallowed.
See precautions and first aid statement on side panel.

KEEP OUT OF REACH OF CHILDREN. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY BY TRAINED PERSONNEL.

DESCRIPTION

A product formulated with the help of "Mother Nature" to naturally degrease, penetrate and liquefy heavy grease and oil deposits from virtually any surface. This pleasantly scented product is ideal for removing oily films from metal surfaces, removing tar from most hard surfaces, cleaning motors, removing adhesives and decals, and many other uses.

This formulation contains natural citrus solvent extracted from the peel of oranges. While using this product, the refreshing citrus fragrance will tackle the most difficult deodorizing tasks. It is non-conductive, non-corrosive to metals, and yet possesses terrific solvency, grease dispersion and deodorant qualities. As with any chemical, use with due care according to the instructions and precautions on the label.

SAFETY

CAUTION: Contains petroleum distillates. Do not take internally. Harmful if swallowed. Avoid skin and eye contact. Combustible liquid. Keep away from heat, sparks and fire. FIRST AID: In case of contact, flush eyes and/or skin with water. If swallowed, do not induce vomiting. Get medical attention immediately. Keep out of the reach of children. For industrial and institutional use only. OSHA Material Safety Data Sheet available.

ISSA Member
The Experts on Cleaning and Maintenance

5 GALLONS 55 GALLONS

DISTRIBUTED BY
Superior Industrial Supply Services, Inc.
541 East Wallace St. • Fort Wayne, IN 46803
Phone No. 219-745-0528
Fax 219-744-4283

USES/BENEFITS

This product contains no hazardous components such as xylene, toluene, benzene, orthodichlorobenzene, 1, 1, 1, -trichloroethane, trichloroethylene, or methylene chloride. It is:

- non-acid
- non-caustic
- non-corrosive to metal pipes
- non-fuming
- biodegradable

Use for:

- Spray cleaning of cold electrical motors, parts and equipment.
- Dip cleaning of electrical motors, parts and equipment.
- Will dry film free.
- Asphalt extraction in approved applications.

DIRECTIONS FOR USE

Although this product is safe to use on most plastics and painted surfaces, be sure to pre-test before using.

Spray cleaning: Spray solvent directly on parts and motor using air gun or sprayer, using a coarse, heavy spray. Can be wiped dry or allowed to air dry.

Dip cleaning: Dip motor or electrical parts into solvent. Allow to soak until grease and foreign matter are loosened. Upon removal, allow to air dry or use air gun. Relubricate if necessary.

Product is not affected by temperatures and may be used in sub-freezing temperatures.

HEALTH / SALUD	1
FLAMMABLE / INFLAMABILIDAD	2
REACTIVITY / REACTIVIDAD	0
PERSONAL PROTECTION / PROTECCION PERSONAL	B

DEC-17-98 THU 02:31 PM OHIO EPA FAX NO. P. 11/13

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MATERIAL SAFETY DATA SHEET

APPROVED BY U.S. DEPT. OF LABOR, ESSENTIALLY SIMILAR TO FORM OSHA174

Superior Industrial Supply & Services
541 East Wallace Street • Fort Wayne, Indiana 46803 • (219) 745-0528/Fax (219) 744-4283

CHEMICAL NAME & SYNONYMS: SOLVENT BLEND TRADE NAME: PREMIUM SAFE-SOLV S-1381

I. PHYSICAL DATA

BOILING POINT: 305
SPECIFIC GRAVITY (Water = 1): 0.790
POUNDS/GALLON: 6.58
VAPOR PRESSURE: 0.131
VAPOR DENSITY (Air = 1):) 1
SOLUBILITY IN WATER (%): 0.00
DRY TIME (ether = 1):) 1
% VOLATILE BY VOLUME: 100.0
APPEARANCE: Water white liquid
ODOR: Typical solvent

II. HAZARDOUS INGREDIENTS

MATERIALS:	CAS #	VOL (%)	ACGIH TWA (ppm)	OSHA TWA (ppm)
ALIPHATIC NAPHTHA	64742-88-7	) 29	100	100

III. FIRE & EXPLOSION HAZARD DATA

LOWER EXPLOSIVE LIMIT IN AIR (% by vol): 0.7 UPPER EXPLOSIVE LIMIT IN AIR (% by vol): 6.1
FLASH POINT (T.C.C. deg F): 109 (lowest flashing component)
EXTINGUISHING MEDIA Carbon Dioxide, Alcohol Foam, or Dry Chemical
SPECIAL FIRE FIGHTING PROCEDURES: S.C.D.A. for fire fighting in enclosed areas. Water spray may be used to cool exposed containers and protect personnel. In advanced fires, maintain a safe distance from sealed containers.
UNUSUAL EXPLOSION AND FIRE PROCEDURES: COMBUSTIBLE LIQUID! Use away from heat and open flame. Use only with adequate ventilation. Keep container closed when not in use.

Legal responsibility is assumed only for the fact that all studies reported here & all opinions are those of qualified experts. Buyer assumes all risks and liabilities. The buyer accepts and uses this material on these conditions.

IV. REACTIVITY DATA

STABILITY: STABLE: X UNSTABLE:
CONDITIONS TO AVOID: Isolate from heat, sparks, and open flames.
INCOMPATIBILITY: Strong oxidizers.
HAZARDOUS DECOMPOSITION OR BY PRODUCTS: Oxides of carbon (CO, CO2)
HAZARDOUS POLYMERIZATION: Will not occur.

V. HEALTH HAZARD DATA

ROUTES OF ENTRY: INHALATION — YES SKIN — YES INGESTION — YES
EFFECTS OF ACUTE OVEREXPOSURE: Material is an eye and skin irritant. Excessive vapor inhalation will lead to central nervous system depression. Harmful or fatal if swallowed.
CHRONIC OVEREXPOSURE: Material may defat the skin on repeated exposure leading to dermatitis.
CARCINOGENICITY: NTP: NO IARC: NO OSHA: NO
— THIS BLEND CONTAINS NO LISTED CARCINOGENS —
SIGNS & SYMPTOMS OF EXPOSURE: The signs of central nervous system depression begin with headache, dizziness and apparent intoxication, and progress through loss of consciousness and possible complete nervous system collapse.
MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: Skin contact can aggravate existing dermatitis.
EMERGENCY & FIRST AID PROCEDURE: EYE CONTACT — rinse with water for 15 minutes. If irritation persists call a physician. SKIN CONTACT — wash with plenty of soap and water. Wash contaminated clothing before reuse. EXCESSIVE VAPOR INHALATION - remove victim to fresh air and restore breathing if necessary. Call a physician if there are signs of breathing difficulties. IF SWALLOWED — do not induce vomiting, call a physician immediately with the listing of materials on this sheet.

VI. PRECAUTIONS FOR SAFE HANDLING & USE

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED: Stop spill at the source, dike the area and contain the flow mop up or absorb and place in suitable container. Notify proper authorities if an RQ was involved.
WASTE DISPOSAL METHOD: As directed by local and federal pollution laws.
PRECAUTIONS TO BE TAKEN IN HANDLING & STORING: Avoid free fall of liquid, ground containers when pouring. Store and use below 120°F and away from direct heat and open flame.

VII. CONTROL MEASURES

RESPIRATORY PROTECTION: Organic cartridge type respirator if ventilation or other mechanical means cannot keep air below TLV.
VENTILATION: Local exhaust is preferable, but any mechanical means that will keep vapors below limits is acceptable.
PROTECTIVE GLOVES: Recommended — must not dissolve in solvents.
OTHER PROTECTIVE CLOTHING OR EQUIPMENT: Chemical goggles and apron are recommended if splashing is possible. An eye wash and safety shower should be available.
WORK/HYGIENIC PRACTICES: Avoid breathing vapor or spray mist. Wash hands thoroughly after contact and before breaks or meals.

VIII. L313 LISTED MATERIALS

As per the requirements of 40 CFR 372.45, the following components of this blend are listed in Section 313 of Title III of the Superfund Amendment and Reauthorization Act of 1986.

MATERIAL	CAS #	MAXIMUM % BY WGT
— NONE LISTED —		

The act also requires that this notice accompany the MSDS in all redistributions and not be detached or omitted from future copies.

Date 10/12/89

DEC-17-98 THU 02:32 PM OHIO EPA FAX NO. P. 12/13
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OhioEPA NOTICE OF VIOLATION

Division of Emergency and Remedial Response

Date of Discovery: 12/8/98
Incident Number: 9812-62-4842

SUBMIT INQUIRES TO:
Ohio EPA-DERR
P.O. Box 1049, 1800 WaterMark Drive
Columbus, Ohio 43216-1049

To: GUARDIAN 24145 W. Moline Martin Rd Millbury, Ohio 43447
(Company/Individual name) (Address) (City, State, Zip Code)

This is to advise you that due to the circumstances noted below you are in violation of one or more of the following chapters of the Ohio Revised Code:

☐ 3704 ☐ 3714 ☐ 3734 ☐ 3750 ☐ 6109 ☒ 6111 ☐ Other

Description of the violation(s): ON DECEMBER 8 1998 AT 24145 WEST MOLINE MARTIN ROAD IN MILLBURY OHIO FACILITY WAS FOUND IN VIOLATION OF WATER POLLUTION STATUE 6111.04 BY ALLOWING OIL TO RUN INTO A STORM SEWER TILE WHICH DISCHARGES INTO A TRIBUTARY TO CRANE CREEK (WATERS OF THE STATE).

Violation of any of the laws or regulations cited above may result in civil penalties, fines, and/or imprisonment. Penalties are listed on the back of this form. Each day of each violation is a separate offense. Citation of a violation in this notice does not preclude the citation or existence of other violations. Notice of a violation is not a final action of the Director and is not a necessary prerequisite for a violator's liability or obligation to abate the violation.

Initial abatement actions to be taken (The State of Ohio is not liable for the success or failure or consequences of any abatement actions taken):
REMOVE ALL OIL AND CONTAMINATED DEBRIS FROM THE TRIBUTARY. PREVENT FURTHER MIGRATION INTO THE STORM SEWER SYSTEM AND TRIBUTARY. PROPERLY DISPOSE OF ALL WASTE GENERATED IN ACCORDANCE TO STATE AND LOCAL LAWS AND REGULATIONS

Ohio EPA reserves the right, pursuant to Chapters 3704, 3714, 3734, 3745, 3750, 6109 and 6111 of the Ohio Revised Code and any other applicable state or federal laws or regulations to require further site investigation and abatement to address release(s) of hazardous wastes, hazardous substances, industrial wastes or other wastes, pollutants or contaminants into the environment at the above designated site and to seek civil penalties, reimbursement of oversight costs, response costs, and any other appropriate legal or equitable relief for any violation of law.

[redacted] ceipt of the Notice of Viola[redacted] or liability for the violation b6 b7C

12/8/98 [redacted] Refused to sign
(date) (phone number) (print name of

[redacted] 12/8/98
(authorized representative) (title) (date)

24145 W. MOLINE MARTIN Rd. MILLBURY
(address)

OHIO 43447 [redacted]
(state) (zip code) (phone)

EPA 0324 Distribution: White-Central Office Canary-District Office Pink-Other Program Goldenrod-Facility

[redacted]

Spill # 9812-62-4842 Guardian
OS[redacted] 2/08 1701 hours
Drainage ditch (trib. to Crane Cr.) dnst. of Guardian storm sewer discharge and oil effected vegetation.

Spill # 9812-62-4842 Guardian
OS[redacted] 2/08 1700 hours
Oil in drainage ditch (trib. to Crane Cr.) dnst. of Guardian storm sewer discharge approximately 50 ft from discharge.

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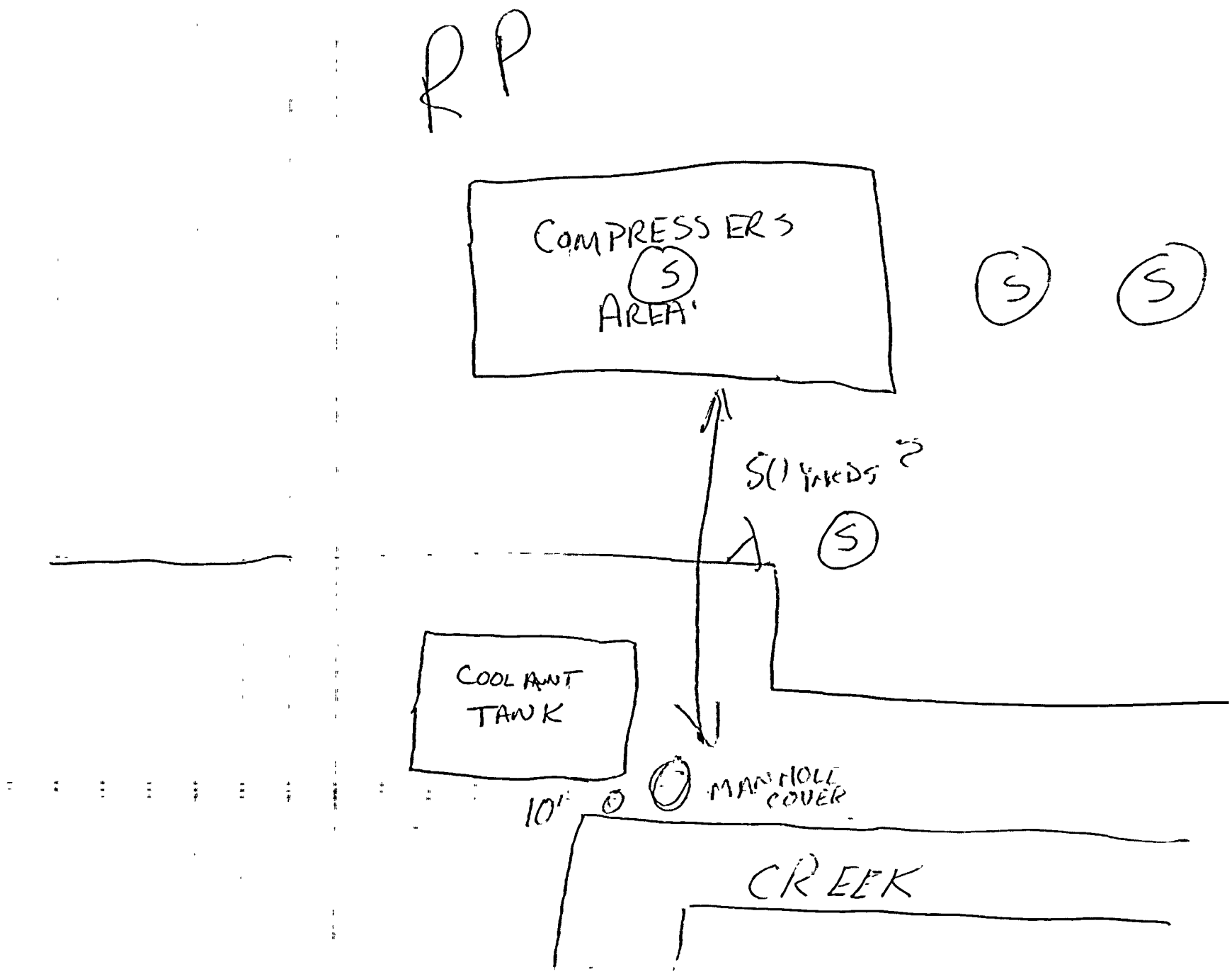
Spill # 9812-62-4842 Guardian
OSC [redacted] 12/08 1700 hours
Oil in drainage ditch (trib. to Crane Cr.) dnst. of Guardian storm sewer discharge.

Spill # 9812-62-4842 Guardian
OSC [redacted] 12/08 1755 hours
Pit area under machine with saturated oil dry in it inside plant.

Spill # 9812-62-4842 Guardian
OSC [redacted] 2/08 1720 hours
Drums with waste oil from pit area. drums located on west side of plant, with no caps. Note no oil staining on cement.


RP
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COVER
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OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402-9398
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

RE: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH0078336

February 2, 1998

[redacted]

b6
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Guardian Industries
24145 West Martin-Moline Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self monitoring report covering the month of June, 1997 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

OUTFALL	DATE	PARAMETER	REPORTED	UNITS	PERMIT LIMITATION
001	6/10	Total Suspended Solids	26.0	mg/l	21.0
001	6/26	Total Suspended Solids	24.0	mg/l	21.0
002	6/10	Total Suspended Solids	31.0	mg/l	18.0
002	6/26	Total Suspended Solids	34.0	mg/l	18.0
002	Average	Total Suspended Solids	32.5	mg/l	12.0
002	6/10	Total Suspended Solids	0.43	kg/day	0.3
002	6/26	Total Suspended Solids	0.48	kg/day	0.3
002	Average	Total Suspended Solids	0.45	kg/day	0.2
002	6/10	Ammonia	50.8	mg/l	3.0
002	6/26	Ammonia	50.6	mg/l	3.0
002	Average	Ammonia	50.7	mg/l	2.0
002	6/10	Ammonia	0.72	kg/day	0.06
002	6/26	Ammonia	0.71	kg/day	0.06
002	Average	Ammonia	0.71	kg/day	0.04
002	6/10	$CBOD_5$	95.0	mg/l	15.0
002	6/26	$CBOD_5$	127.0	mg/l	15.0
002	Average	$CBOD_5$	111.0	mg/l	10.0

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[redacted]

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OUTFALL	DATE	PARAMETER	REPORTED	UNITS	PERMIT LIMITATION
002	6/10	$CBOD_5$	1.34	kg/day	0.3
002	6/26	$CBOD_5$	1.80	kg/day	0.3
002	Average	$CBOD_5$	1.57	kg/day	0.2
002	6/10	Dissolved Oxygen	2.2	mg/l	5.0 minimum
002	9/26	Dissolved Oxygen	1.8	mg/l	5.0 minimum

We have received your letter dated November 7, 1997, addressing the reasons for the above violations and the actions being taken to prevent further occurrences. No additional information is requested at this time.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U.S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

If there are any questions, please contact this office.

b6
b7C

Since[redacted]

Division of Surface Water

[redacted]

pc: NWDO File

RECEIVED
JUL 2 3 1997
OHIO E.P.A.
N.W.D.O.

GUARDIAN
A Company of Vision

July 18, 1997

Re: Connection to Sewer
No Permit Required

[redacted] b6 b7C

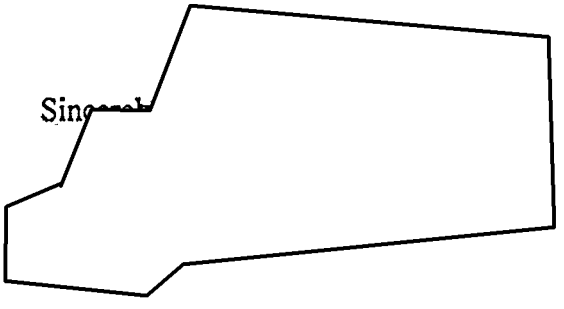
Ohio EPA, Division of Surface Water
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

Dear [redacted]

This letter is to inform you that as of July 18, 1997, Guardian Industries Corporation, located at 24145 W. Moline Road in Millbury, Ohio 43447, is connected to the sanitary sewer system of Ottawa County. We wish to apply for NPR (No Permit Required) status. The permit that is no longer needed is NPDES # 0078336, Ohio EPA Permit # 2IN00093001 (Outfalls 001 and 002). With the connection to the sewer system, all outfalls are now being treated within the sanitary sewer system.

If you have any questions please call me as soon as possible.

Sin[redacted] b6 b7C



GUARDIAN INDUSTRIES CORP. • 24145 W. MOLINE MARTIN ROAD • MILLBURY, OHIO 43447 • 419/855-7706 • FAX 419/855-8215

GUARDIAN
A Company of Vision

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation

RECEIVED
JUN 1 3 1997
OHIO E.P.A.
N.W.D.O.

June 13, 1997

[redacted] b6 b7C

Northwest District Office
Division Of Surface Water
375 North Dubridge Road
Bowling Green, Ohio 43402

Dear [redacted]

The Purpose of this letter is to respond to a notice of violation issued by the Ohio environmental agency on June 12, 1997. The notice refers to test results for the month of January 1997, and concern OEPA permit # 2IN00093, NPDES permit # OH0078336. It is Guardian Industries full intent to respond to all violations within a reasonable time period. It is also our intent to correct these problems at the source and thus accomplish source reduction.

The violations concern outfall 002 and violate the permit limitation for total suspended solids. This outfall is generated from sanitary effluent within the plant. At the present time the plant is ready to be connected to the Genoa City Sewer System. The finial connection will be made as soon as the Ottawa County Sanitary Engineers provide Guardian Industries with a finial assessment. This will eliminate all present problems with outfall 001 and 002. Furthermore, these EPA permits will also be eliminated in the process. Guardian will contact the EPA as soon as the finial connection is made.

Guardian Industries believes that the best way to solve a pollution problem it to eliminate the problem at the source and thus eliminate all wastes. We feel that this will be accomplished by the new sewer system. Should you have any questions or concerns please feel free to contact me at [redacted] b6 b7C

Sincerely;

Guardian Industries Corporation

OhioEPA
State of Ohio Environmental Protection Agency

Northwest District Office
347 North Dunbridge Road
~~P.O. Box 466~~
Bowling Green, Ohio 43402-~~0466~~
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

Re: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. 0078336

June 12, 1997

[redacted] b6 b7C

Guardian Industries
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self-monitoring report covering the month of January 1997, for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
002	1/22	Total Suspended Solids	26.0	mg/l	18.0
002	Avg.	Total Suspended Solids	26.0	mg/l	12.0
002	1/22	Total Suspended Solids	0.36	kg/day	0.3
002	Avg.	Total Suspended Solids	0.36	kg/day	0.2

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violation continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.

You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or US EPA's "Facility Pollution Prevention Guide" (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614) 644-3469.

If there are any questions, please contact this office. b6 b7C

Sin[redacted]

Division of Surface Water
[redacted]

pc: NWDO File

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GUARDIAN
A Company of Vision

RECEIVED
MAY 15 1997
N.W.D.O.

May 12, 1997

[redacted] b6 b7C

Ohio EPA
Division of Surface Water

Dear [redacted]

Guardian Industries has received the notice of violation for NPDES permit number 0078336, Ohio EPA permit number 2IN00093, for the month of November 1996. This notice addresses noncompliance of suspended solids in outfall 002 (sanitary effluent).

We believe that problem with the system lies in the fact that Guardian has added more employees. This results in more load on the present treatment system.

Guardian industries is in the process of rectifying this situation with connection to the sewer system of The Village of Genoa, Ohio. At the present time it is only a matter of days before the finial inspection is made and the new system is approved for operation. We believe that this will eliminate the problems that Guardian has.

If you have any questions please contact me as soon as possible. [redacted] b6 b7C

Guardian Industries Corporation

GUARDIAN INDUSTRIES CORP. • 24145 W. MOLINE MARTIN ROAD • MILLBURY, OHIO 43447 • 419/855-7706 • FAX 419/855-8215

OhioEPA
State of Ohio Environmental Protection Agency

Northwest District Office
347 North Dunbridge Road
~~P.O. Box 466~~
Bowling Green, Ohio 43402-~~0466~~
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

Re: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. 0078336

May 9, 1997

[redacted] b6 b7C

Guardian Industries
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self-monitoring report covering the month of November 1996, for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
002	Average	Total Suspended Solids	12.5	mg/l	12.0

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violation continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.

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If there are any questions, please contact this office.

Sin[redacted] b6 b7C

Division of Surface Water

[redacted]

pc: NWDO File

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GUARDIAN
A Company of Vision

[redacted] b6 b7C

Ohio EPA, Division Of Surface Water
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

[redacted]

Guardian Industries is aware of is's violation for the month of April 1997 concerning EPA permit # 2IN00093, NPDES permit # OH00778336. Please be advised that Guardian Industries has eliminated this discharge by connecting to the sewer system of Genoa, Ohio. We have filed for NPR (no permit required status) and have notice that the permit is will not be renewed since it is not required (see attached copy).

Should you have any questions concerning this manner please feel free to [redacted] ontact me as soon as possible. b6 b7C

Millbury Plant:
24145 W. Moline Martin Road • Millbury, Ohio • 43447 • 419-855-7706

OhioEPA
State of Ohio Environmental Protection Agency

Northwest District Office
347 North Dunbridge Road
P.O. Box 466
Bowling Green, Ohio 43402-0466
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

RE: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH0078336

October 10, 1997

[redacted] b6 b7C

Guardian Industries
24145 West Martin-Moline Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self monitoring report covering the month of April, 1997 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

OUTFALL	DATE	PARAMETER	REPORTED	UNITS	PERMIT LIMITATION
001	4/15	Total Suspended Solids	27.0	mg/l	21.0
002	4/3	Total Suspended Solids	21.0	mg/l	18.0
002	Average	Total Suspended Solids	13.5	mg/l	12.0

We have received your letter addressing the reasons for the above violations and the actions being taken to prevent further occurrences.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U.S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

If there are any questions, please contact this office.

Sincer[redacted] b6 b7C

Division of Surface Water

[redacted]

pc: NWDO File

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GUARDIAN
A Company of Vision

RECEIVED

NOV - 7 1997

OHIO E.P.A.
N.W.D.O.

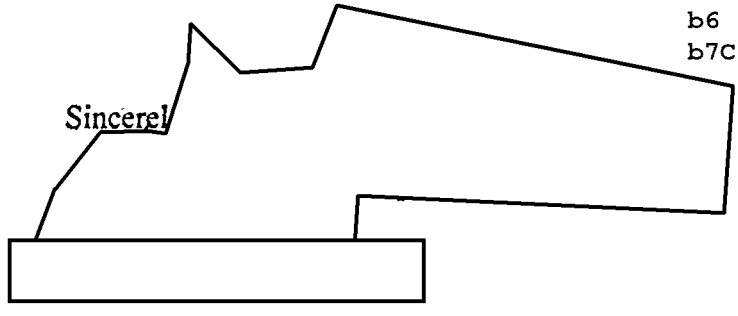
[redacted] b6 b7C

Ohio EPA, Division of Surface Water
347 North Dunbridge Road
Bowling Green, Ohio 43402

Guardian Industries Corporation is in receipt of the notice of violation of NPDES permit OH0078336, Ohio EPA permit 2IN00093 for the month of May 1997. We acknowledge all violations and have corrected the problem by discharging into the sewer system of The City of Genoa, Ohio. Furthermore, Guardian Industries had applied for and received conformation of NPR (no permit required) status for these discharges.

Should you have any questions, please contact me as soon as possible.

Sincerel[redacted] b6 b7C



GUARDIAN INDUSTRIES CORP. • 24145 W. MOLINE MARTIN RD • MILLBURY, OHIO 43447 • 419/855-7706 • FAX 419/855-8215

OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
~~P.O. Box 466~~
Bowling Green, Ohio 43402-~~0466~~
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

RE: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH0078336

November 4, 1997

b6
b7C

Guardian Industries
24145 West Martin-Moline Road
Millbury, Ohio 43447

Dea

We are in receipt of your self-monitoring report covering the month of May 1997 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

OUTFALL	DATE	PARAMETER	REPORTED	UNITS	PERMIT LIMITATION
001	5/2	Total Suspended Solids	36.0	mg/l	21.0
001	5/15	Total Residual Chlorine	0.05	mg/l	0.038
002	5/15	Fecal Coliform	>10,000	#/100 ml	2000
002	Avg.	Fecal Coliform	>10,000	#/100 ml	1000
002	5/2	Ammonia	23.4	mg/l	3.0
002	Avg.	Ammonia	23.4	mg/l	2.0
002	5/2	Ammonia	0.33	kg/day	0.06
002	Avg.	Ammonia	0.33	kg/day	0.04

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.

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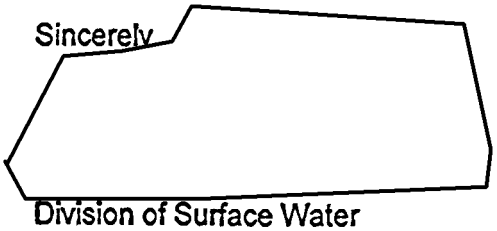
You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U. S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

If there are any questions, please contact this office.

Sincerely



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Division of Surface Water

[redacted]

pc: DSW, NWDO File

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SEP 30 1997

OHIO E.P.A.
N.W.D.O

[redacted] b6 b7C

Ohio EPA, Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402

Dear [redacted]

Guardian Industries Corporation is in receipt of the Notice of Violation for March 1997 for Ohio EPA permit 2IN00093, NPDES permit OH0078336. We recognize the violations and have made an effort to correct the problem. Effective July 18, 1997, Guardian Industries outfall 001 and 002 are connected to the sanitary sewer system of the City of Genoa. This eliminates all testing and reporting needs associated with this permit. Furthermore, Guardian has filed for "no permit required status" for this permit.

Should you have any questions please contact me as soon as possible.

Sincerely,

[redacted] b6 b7C

Guardian Industries Corporation

GUARDIAN INDUSTRIES CORP. • 24145 W. MOLINE MARTIN ROAD • MILLBURY, OHIO 43447 • 419/855-7706 • FAX 419/855-8215

State of Ohio Environmental Protection Agency

STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

August 25, 1997

Re: Ohio EPA Permit No. 2IN00093*AD
Application No. OH0078336

Guardian Industries Corp.
24145 West Moline-Martin Road
Millbury, Ohio 43443

Ladies and Gentlemen:

My staff has informed me that there is no longer any discharge from the referenced plant to waters of the state. Since a National Pollutant Discharge Elimination System permit is no longer required, the NPDES permit referenced above will not be renewed.

An NPDES permit application must be submitted at least 180 days prior to any change in your operation which would result in a permit being required under Chapter 3745-33 of the Ohio Administrative Code (formerly Ohio EPA regulation EP-31). You should also be aware that Chapter 3745-31 of the Ohio Administrative Code (formerly Ohio EPA regulation EP-30) requires a permit to install be obtained prior to commencing any construction that would modify a treatment works to allow it to process waste in materially different character.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Board of Review pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Board of Review within thirty days after notice of the director's action. A copy of the appeal must be served on the director of the Ohio Environmental Protection Agency and the Environmental Law Division of the Office of the Attorney General within three days of filing with the board. An appeal may be filed with the Environmental Board of Review at the following address:

Environmental Board of Review
236 East Town Street, Room 300
Columbus, Ohio 43215

Sincerely,

[redacted]

b6
b7C

CERTIFIED MAIL

cc: Northwest District Office
Journal Room
File

George V. Voinovich, Governor
Nancy P. Hollister, Lt. Governor
Donald R. Schregardus, Director

Printed on Recycled Paper

OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

RECEIVED
OCT 02 1997
OHIO E.P.A.
N.W.D.O.

September 30, 1997

RE: Submission of Monthly Operating Reports for NPDES Permit 2IN00093
Ottawa County

[redacted] b6 b7C

GUARDIAN INDUSTRIES CORP.

MILLBURY
24145 W. MOLINE-MARTIN RD
MILLBURY, OH 43447

Gentlemen:

Reports pertaining to August 1997 for the stations listed below were not received by the fifteenth of September. Our records now show that you are in violation of the NPDES permit that required the reports. The Ohio Revised Code (6111.09) provides civil penalties in fines of up to $10,000 for each violation of your permit. To avoid further enforcement action, please submit acceptable reports within ten days, if you have not already done so.

If you have any questions, please contact a Data Control Technician at (614) 644-2050.

Sincerely,

[redacted]

[redacted]
Data Management & Support Section
Division of Surface Water
Ohio Environmental Protection Agency

Station Code	Description
001	001 PROCESS WASTEWATER & STORM RUNOFF AFTER POND
002	002 SANITARY EFFLUENT

OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

RE: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. 0078336

April 27, 1995

[redacted] b6 b7C

Guardian Industries Corporation
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self monitoring report covering the month of December, 1994 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitations
001	12/2	Total Suspended Solids	37.0	mg/l	21.0
001	12/29	Total Suspended Solids	27.0	mg/l	21.0
001	Avg.	Total Suspended Solids	28.0	mg/l	21.0
001	12/2	Total Suspended Solids	10.07	kg/day	1.5
001	12/16	Total Suspended Solids	5.44	kg/day	1.5
001	12/29	Total Suspended Solids	7.35	kg/day	1.5
001	Avg.	Total Suspended Solids	7.62	kg/day	1.5
002	12/2	Total Suspended Solids	0.425	kg/day	0.17
002	12/16	Total Suspended Solids	0.212	kg/day	0.17
002	12/29	Total Suspended Solids	0.368	kg/day	0.17
002	Avg.	Total Suspended Solids	0.335	kg/day	0.11
002	12/2	$CBOD_5$	0.340	kg/day	0.17
002	12/16	$CBOD_5$	0.198	kg/day	0.17
002	12/29	$CBOD_5$	0.354	kg/day	0.17
002	Avg.	$CBOD_5$	0.297	kg/day	0.11

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Please inform this office as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these iolations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs.

For more information about pollution prevention, including fact sheets or U. S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

If there are any questions, please contact this office.

Sincerely,

[redacted]

b6
b7C

pc: NWDO File

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation

RECEIVED

DEC 16 1994

OHIO E.P.A.
N.W.D.O.

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b7C

Dcember 12, 1994

[redacted]

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) December 7, 1994 letter concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of Sept, 1994. It is Guardian Industrie's full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

OutFall	date	parameter	reported	units	limits
001	18 days	pH	9.02 to 9.24	S.U.	9.0max

We believe the above violations were due to an increased usage of Village of Genoa municipal water in some of our processes. We have used approximately 10 times the monthly amounts of municipal water we had previously used before July 1993. The quality of water obtained from The Village of Genoa is much better than the softened well water we have available on site, however, DURING A conversations with the Village, I was informed that their average pH level is approximately 9.0 - 9.5 S.U. Our softened well water has a pH of approximately 7.5. We know that the Village of Genoa municipal water is a better product for use in our internal processes and feel that it is also better for the environment when discharged. Also, We Have Recently Calibrated Our PH Detection Device To Insure The Acuracy Of Our Measurements.

December 12 1994

[redacted] b6 b7C

Page TWO

outfall	date	parameter	reported	units	limits
001	9/8	Total susp. solids	24.0	mg/l	21.0
001	9/8	Total susp. solids	7.26	kg/day	1.5
001	9/22	Total Susp. Solids	2.11	kg/day	1.5
001	Avg.	Total Susp. Solids	4.68	kg/day	1.5

The above violations concern effluent loading limitations(kg/day). The original permit loading limitations for outfall 001&002 were based on an average flow of 19,400 GPD. Since the February 3, 1992 effective date of the permit, Guardian Industries has initiated production of additional processes which has increased our water usage significantly. In addition, it is our belief that the discharge volumes submitted with the original permit application were estimated and were calculated in error. Guardian Industries applied for a NPDES permit modification, on January 20, 1993, requesting that the effluent loading limitations be based on 95,000 GPD and 5,000 GPD for outfalls 001 and 002 respectively.
An updated copy of the modification has been submitted to Mr Plotts as requsted.

outfall	date	parameter	reported	units	limits
002	9/8	FECAL COLIFORM	65,000	#/100ml	2000
002	avg.	FECAL COLIFORM	65,000	#/100ml	1000
002	9/22	DISSOLVED OXYGEN	3.2	mg/l	5.0
002	9/22	TOTAL SUSPENDED SOLIDS	0.255	kg/day	0.17
002	Avg.	TOTAL SUSPENDED SOLIDS	0.276	kg/day	0.11
002	Avg.	CBOD5	0.120	kg/day	0.11

The above violations were probably due to an intermittent electrical problem with the motor timer on our aerator which caused the motor to occasionally shut down. We currently have a monthly service contract with Norwalk Wastwater Equipment company(NORWECO) and the timer was adjusted to continousely run the treatment plant. We also have contracted a service to clean out our trash trap on a quarterly basis.

Sincerely,

[redacted] b6 b7C

file:epasep94

RECEIVED

MAY 2 1995

OHIO E.P.A.
N.W.D.O.

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation

May 1, 1995

[redacted] b6 b7C

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) April 27,1995 concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of December, 1994. It is Guardian Industrie's full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

outfall	date	parameter	reported	units	limits
001	12/2	Total	10.07	kg/day	1.5
	12/16	susp. solids	5.44	kg/day	1.5
	12/29		7.35	kg/day	1.5
001	Avg	Total susp. solids	7.62	kg/day	1.5
002	12/2	Total	0.425	kg/day	1.5
	12/16	susp. solids	0.212	kg/day	1.5
	12/29		0.368	kg/day	1.5
002	Avg	Total susp.solids	0.335	kg/day	0.11

Mrs. [redacted]
May 1/1995
Page Two

b6
b7C

outfall	date	parameter	reported	units	limits
001	12/2& 12/29	Total Susp. Solids	37.0 27.0	mg/l	21.0
001	Avg	Total susp. solids	28.0	mg/l	21.0
002	12/2 12/16 12/29	Carb.BOD	0.340 0.198 0.354	kg/day	0.17
002	Avg	Carb.BOD	0.297	kg/day	0.11

The above violations concern the permit effluent loading limitations (kg/day) for suspended solids (outfalls 001 and 002) and CBOD (outfall 002). It should be noted that the original permit loading limitations were based on an average flow of 19,400 GPD and 958 GPD respectively. Since the February 3,1992 effective date of the permit ,guerdian industries has initiated production of an additional grinding operation which has increased process water usage for outfall 001. Subsequently, new employees have been retained thereby increasing the amount of water discharged to outfall 002. In addition, it is guardian industries' belief that the dicharge volumes submitted with the original permit application were estimated and calculated in error. Guardian industries applied for a NPDES permit modification, on January 20,1993 ,requesting that the effluent loading limitations be based on 95,000 GPD and 5,000 GPD for outfalls 001 and 002 respectively.We recently have recieved the aproval for the modification,which will be in effect on April 1,1995.
Guardian industries would like to re-imphasize the importance being placed on correcting the violations asserted in the April 27/1995 letter. If OEPA has any questions or comments concerningthis correspondence,please contact me at [redacted]

b6
b7C

Sincerely

[redacted]

Ottawa

RECEIVED

NOV 0 4 1994

O.E.P.A.

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation

Noveber 2, 1994

[redacted] b6 b7C

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) October 27, 1994 letter sent to [redacted] attention concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of July, 1994. It is Guardian Industrie's full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

OutFall	date	parameter	reported	units	limits
001	15 days	pH	9.05 to 9.7	S.U.	9.0max

We believe the above violations were due to an increased usage of Village of Genoa municipal water in some of our processes. We have used approximately 10 times the monthly amounts of municipal water we had previously used before July 1993. The quality of water obtained from The Village of Genoa is much better than the softened well water we have available on site, however, DURING A conversations with the Village, I was informed that their average pH level is approximately 9.0 - 9.5 S.U. Our softened well water has a pH of approximately 7.5. We know that the Village of Genoa municipal water is a better product for use in our internal processes and feel that it is also better for the environment when discharged. Also, We Have Recently Calibrated Our PH Detection Device To Insure The Acuracy Of Our Measurements.

[redacted] b6 b7C

October 21,1994
Page TWO

outfall	date	parameter	reported	units	limits
001	8/24	Total susp. solids	1.72	kg/day	1.5
002	8/24	Total susp. solids	0.496	kg/day	0.17
002	avg.	Total Susp. Solids	0.262	kg/day	0.11

The above violations concern effluent loading limitations(kg/day). The original permit loading limitations for outfall 001&002 were based on an average flow of 19,400 GPD. Since the February 3, 1992 effective date of the permit, Guardian Industries has initiated production of additional processes which has increased our water usage significantly. In addition, it is our belief that the discharge volumes submitted with the original permit application were estimated and were calculated in error. Guardian Industries applied for a NPDES permit modification, on January 20, 1993, requesting that the effluent loading limitations be based on 95,000 GPD and 5,000 GPD for outfalls 001 and 002 respectively.
An updated copy of the modification has been submitted to Mr Plotts as requsted.

outfall	date	parameter	reported	units	limits
002	8/11	FECAL COLIFORM	81,000	#/100ml	2000
002	avg.	FECAL COLIFORM	81,000	#/100ml	1000

The above violations were probably due to an intermittent electrical problem with the motor timer on our aerator which caused the motor to occasionally shut down. We currently have a monthly service contract with Norwalk Wastwater Equipment company(NORWECO) and the timer was adjusted to continousely run the treatment plant.

Sincerely, [redacted] b6 b7C

[redacted]

file:epaaugst94

OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

Re: Notice of Violation
Ottawa County
Guardian Industries Corporation
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH 0078336

October 23, 1995

[redacted] b6 b7C

Guardian Industries Corporation
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self-monitoring report covering the months of June and July, 1995, for the referenced facility. Our review indicates a violation of the conditions of your NPDES permit. The specific instance of noncompliance is as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
June					
001	6/15	Suspended Solids	11.9	kg/day	7.5
001	6/27	Suspended Solids	20.8	kg/day	7.5
001	6/15	Suspended Solids	49	mg/l	21
001	6/27	Suspended Solids	86	mg/l	21
002	6/15	Dissolved Oxygen	3.8	mg/l	5.0 Min.
002	6/15	PH	6.2	SU	6.5 Min.
002	6/15	Ammonia, NH_3-N	10.4	mg/l	3
002	6/28	Ammonia, NH_3-N	13.1	mg/l	3
002	Average	Ammonia, NH_3-N	11.7	mg/l	2
002	6/15	Fecal Coliform	5200	#/100 ml	2000
002	6-1-14 16-27 29,30	Color, Odor, Turbidity	Not Done	Units	Daily
July					
001	7/13	Suspended Solids	48	mg/l	21
001	7/13	Suspended Solids	11.4	kg/day	7.5
001	7/27	Suspended Solids	8.5	mg/l	21
001	7/27	Suspended Solids	20.3	kg/day	7.5
002	7/13	Suspended Solids	20	mg/l	18
002	Average	Suspended Solids	0.25	kg/day	0.20
002	7/13	Chlorine Residual	1.2	mg/l	.038
002	Average	$CBOD_5$	10.5	mg/l	10
002	7-1-12 14-26 28-31	Color, Odor, Turbidity	Not Done	Units	Daily

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(revised 12/93)

RECEIVED
JUN 6 1995
OHIO E.P.A.
N.W.D.O.

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation

May 23, 1995

[redacted] b6 b7C

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) May 19,1995 concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of January And Fabuary, 1994. It is Guardian Industrie's full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

outfall	date	parameter	reported	units	limits
January					
001	1/13	Total	4.4	kg/day	1.5
	1/27	susp. solids	6.5	kg/day	1.5
001	Avg	Total susp. solids	5.5	kg/day	1.5
002	1/27	Total susp. solids	0.46	kg/day	1.5
002	Avg	Total susp.solids	0.47	kg/day	0.11

[redacted]

b6
b7C

May 23/1995
Page Two

outfall	date	parameter	reported	units	limits
001	1/27&	Total Susp. Solids	27.0	mg/l	21.0
001	Avg	Total susp. solids	22.0	mg/l	21.0
002	Avg	Total susp.solids	33.0	mg/l	30.0
002	1/27	Carb.BOD	0.340	kg/day	0.17
002	Avg	Carb.Bod	34	mg/l	30
002	Avg	Carb.BOD	0.61	kg/day	0.11

outfall	date	parameter	reported	units	limits
Fabruary					
001	2/10	Total	2.8	kg/day	1.5
	2/24	susp. solids	2.3	kg/day	1.5
001	Avg	Total susp. solids	2.57	kg/day	1.5
002	2/10	Total susp.solids	0.71	kg/day	0.17
002	Avg	Total susp.solids	0.70	kg/day	0.11
001	2/24	Oil&Grease	1.3	kg/day	0.73

[redacted]

May 23/1995
Page THREE

outfall	date	parameter	reported	units	limits
002	2/10& 2/24	Total Susp. Solids	50 48	mg/l	45
001	Avg	Total susp. solids	49	mg/l	30
002	Avg	Total susp.solids	33.0	mg/l	30.0
002	2/10& 2/24	Carb.BOD	76 48	mg/l	45
002	2/10	Carb.BOD	1.1	kg/day	0.17
002	Avg	Carb.Bod	62.0	mg/l	30
002	Avg	Carb.BOD	0.9	kg/day	0.11

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The above violations concern the permit effluent loading limitations (kg/day) for suspended solids (outfalls 001 and 002) and CBOD (outfall 002). It should be noted that the original permit loading limitations were based on an average flow of 19,400 GPD and 958 GPD respectively. Since the February 3,1992 effective date of the permit ,guardian industries has initiated production of an additional grinding operation which has increased process water usage for outfall 001. Subsequently, new employees have been retained thereby increasing the amount of water discharged to outfall 002. In addition, it is guardian industries' belief that the dicharge volumes submitted with the original permit application were estimated and calculated in error. Guardian industries applied for a NPDES permit modification, on January 20,1993 ,requesting that the effluent loading limitations be based on 95,000 GPD and 5,000 GPD for outfalls 001 and 002 respectively.We recently have recieved the approval for the modification,which went in effect on April 1,1995.
Also on May 23, I spoke with [redacted] regarding this issue. he is aware of the county sewer system project which may take effect as early as fall of 1996. We are included in this plan in which I was assured by the county sanitary engineers that the system is going to be suuficient to handle all of our processes and eliminate any more violations .

[redacted]

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May 23/1995
Page four

I tried to touch base with you several times but was not successful.
Guardian industries would like to re-imphasize the importance being placed on correcting the violations asserted in the April 27/1995 letter. If OEPA has any questions or comments concerning this correspondence,please contact me at [redacted]

[redacted]

OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

RE: Notice of Violation
Ottawa County
Guardian Fabrication, Inc.
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH0078336

May 19, 1995

[redacted] b6 b7C

Guardian Fabrication, Inc.
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear [redacted]

We are in receipt of your self monitoring report covering the month of January and February, 1995, for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
January					
001	1/13	Suspended Solids	4.4	kg/day	1.5
001	1/27	Suspended Solids	27	mg/l	21
001	1/27	Suspended Solids	6.5	kg/day	1.5
001	Avg.	Suspended Solids	22	mg/l	21
001	Avg.	Suspended Solids	5.5	kg/day	1.5
002	1/27	Suspended Solids	0.46	kg/day	0.17
002	Avg.	Suspended Solids	33	mg/l	30
002	Avg.	Suspended Solids	0.47	kg/day	0.11
002	1/27	$CBOD_5$	0.6	kg/day	0.17
002	Avg.	$CBOD_5$	34	mg/l	30
002	Avg.	$CBOD_5$	0.61	kg/day	0.11
February					
002	2/10	Suspended Solids	50	mg/l	45
002	2/10	Suspended Solids	0.71	kg/day	0.17

Printed on recycled paper
(revised 12/93)

[redacted]

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Outfall	Date	Parameter	Reported	Units	Permit Limitation
002	2/24	Suspended Solids	48	mg/l	45
002	Avg.	Suspended Solids	49	mg/l	30
002	Avg.	Suspended Solids	0.70	kg/day	0.11
002	2/10	CBOD5	76	mg/l	45
002	2/10	CBOD5	1.1	kg/day	0.17
002	2/24	CBOD5	48	mg/l	45
002	2/24	CBOD5	0.68	kg/day	0.17
002	Avg.	CBOD5	62.0	mg/l	30
002	Avg.	CBOD5	0.9	kg/day	0.11
001	2/10	Suspended Solids	2.8	kg/day	1.5
001	2/24	Suspended Solids	2.3	kg/day	1.5
001	Avg.	Suspended Solids	2.57	kg/day	0.73
001	2/24	Oil and Grease	1.3	kg/day	0.73

Please inform this office in writing within ten days of receipt of this notification as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U. S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

Re: Notice Of Violation
Ottawa County
Guardian Industries Corporation
Ohio EPA Permit No.2IN00093
NPDES Permit No . OH0078336

RECEIVED

NOV 13 1995

OHIO E.P.A.
N.W.D.O.

NOV 3, 1995

[redacted] b6 b7C

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) Oct 23,1995 concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of June And July, 1995. It is Guardian Industries full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

outfall	date	parameter	reported	units	limits
June					
001	6/15	Total	11.9	kg/day	7.5
001	6/27	susp. solids	20.8	kg/day	7.5001
	6/15		49	Mg/l	21
001	6/27		86	Mg/l	21
002	6/15	PH	6.2	Su	6.5Min
002	6/15	Dissolved oxygen	3.8	Mg/l	5.0Min
002	6/15	Amonia,NH3-N	10.4	Mg/l	3
002	6/28	Amonia,NH3-N	13.1	Mg/l	3
002	Average	Amonia,NH3-N	11.7	Mg/l	2
002	6/15	FECAL COLIFORM	5200	#/100ml	2000
002	6-1-14 16-27 29-30	Color,Odor, Turbidity		Units	Daily

[redacted]

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outfall	date	parameter	reported	units	limits
July					
001	7/13	susp. solids	48	Mg/l	21
001	7/13	susp. solids	11.4	kg/day	7.5
001	7/27	susp. solids	8.5	Mg/l	21
001	7/27	susp. solids	20.3	Mg/l	21
002	7/13	susp. solids	20	kg/day	7.5
002	Avg	susp.solids	0.25	Kg/day	30.0
002	7/13	Chlorine Residual	1.2	Mg/l	.038
002	Avg	Carb.Bod	10.5	mg/l	10
002	6-1-12 14-26 28-31	Color,Odor, Turbidity		Units	Daily

The above violations concern the permit effluent loading limitations (kg/day) for suspended solids (outfalls 001 and 002) and CBOD (outfall 002).it should be noted that since February,1992 guardian industries has initiated additional grinding operation which has increased process water usage for outfall oo1. Subsequently, new employees have been retained thereby increasing the amount of water discharged to out fall 002.
Also the final weir of our pumphouse was full of glass fines. The discharges from the building to a lift station that contains several weirs to allow suspended solids to settle out of the water prior to being discharged to the settling pond. The final weir was cleaned out at the end of August ,1995.
The rest of the violations for outfall 002 were probably due to an intermittent electrical problem.we currently have a monthly service contract with norwalk wastewater equipment company (norwaco).

Guardian industries would like to re-emphasize the importance being placed on correcting the violations asserted in the

October 23/1995 letter. If OEPA has any questions or comments concerning this correspondence,please contact me at [redacted]

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Sincerely

[redacted]

OhioEPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(419) 352-8461 FAX (419) 352-8468

George V. Voinovich
Governor

Re: Notice of Violation
Ottawa County
Guardian Industries
Ohio EPA Permit No. 2IN00093
NPDES Permit No. OH0078336

May 14, 1996

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Guardian Industries
24145 West Moline-Martin Road
Millbury, Ohio 43447

Dear

We are in receipt of your self monitoring report covering the months of November and December 1995 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation
November					
001	11/03	Total Suspended Solids	68.0	mg/l	21.0
001	11/03	Total Suspended Solids	19.03	kg/day	7.5
001	11/17	Total Suspended Solids	26.0	mg/l	21.0
December					
001	12/01	Total Suspended Solids	23.0	mg/l	21.0
001	12/15	Total Suspended Solids	22.0	mg/l	21.0

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U. S. EPA's *"Facility Pollution Prevention Guide"* (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

[redacted]

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If there are any questions, please contact this office.

[redacted]

Division of Surface Water

[redacted]

pc: NWDO File

RECEIVED

MAY 31 1996

OHIO E.P.A.
N.W.D.O.

Re: Notice of Violation
Ottawa County
Guardian Industries Corporation

May 28, 1996

[redacted] b6 b7C

Northwest District Office
Division of Surface Water
347 North Dunbridge Road
Bowling Green, OH 43402

Dear [redacted]

The purpose of this letter is to respond to the Ohio Environmental Protection Agency (OEPA) May 14,1996 concerning violations of our OEPA Permit #2IN00093, NPDES Permit #OH0078336 for the month of November and December 1996. It is Guardian Industries's full intent to address all violations with importance and within a reasonable time. Following is a list of violations and explanations of why they occurred.

outfall	date	parameter	reported	units	limits
November					
001	11/03	Total	68.0	Mg/l	21.0
	11/17	susp. solids	26.0	Mg/l	21.0
001	11/03	Total susp. solids	19.03	Kg/day	7.5
December					
001	12/01	Total	23.0	Mg/l	21.0
	12/15	susp. solids	22.0	Mg/l	
			21.0		

[redacted]

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The above violations concern the permit effluent loading limitations (kg/day) and concentrations (mg/l) for suspended solids (outfall 001)
Guardian industries has initiated production of an additional grinding operation which has increased process water usage for outfall 001. Subsequently, new employees have been retained thereby increasing the amount of water discharged to outfall 002.
Also, Guardian industries and the city of Genoa (sanitary engineers)is currently working on the layout and the installation of a sewer line that will handle Guardian industries/millbury Plant, discharge water (outfall001 or outfall002).
Based on our request a copy of the proposed project was sent to you attention Mr. bob plotts. we believe that upon completion of this Project that all of these violations will be eliminated.

Guardian industries would like to reemphasize the importance being placed on correcting the violations asserted in the May 14/1996 letter. If OEPA has any questions or comments Concerning this correspondence, please contact me at (419)855-7706.

Sincerely

[redacted]

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1518270-000

Total Deleted Page(s) = 8
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FD-986
Rev. 11-28-2012

FEDERAL BUREAU OF INVESTIGATION
DISPOSITION OF CONSENSUAL MONITORING ELECTRONIC SURVEILLANCE (ELSUR) MEDIA ACQUIRED IN CRIMINAL INVESTIGATION

Part IV [redacted]
To be completed by the [redacted]

Upon completion of the FD-986 in part, or in whole, regardless if the approval was granted or denied, complete the following:

- ☑ 1. Place the original FD-986 in the last volume of the main case file.
- ☐ 2. For Automated cases in Sentinel, upload a copy of the FD-986 in the destruction file in Sentinel.

If the destruction of the ELSUR media has been approved, complete the following checklist.

- ☐ 1. For Automated cases in Sentinel, annotate the disposition on each corresponding record in Sentinel.
- ☑ 2. For ACS cases that have not been migrated into Sentinel, annotate the disposition on each corresponding record in ACS.
- ☐ 3. Remove ELSUR from the cover of each main case file and each sub-file.

Physical destruction of ELSUR media by "approved destruction method" occurred in the presence of:

EOT: [redacted] [redacted] 7/29/13 (Date)

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FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/10/99

[redacted] telephone number [redacted] provided the following information after being advised of the official identities of the interviewing Agents and of the purpose for the interview: b6 b7C

[redacted] is currently [redacted] telephone number [redacted] and works [redacted] Sometime before Christmas, 1998, exact date unrecalled, [redacted] arrived at work for the [redacted] and learned that a compressor had "blown up" and had spilled a quantity of oil. [redacted] learned this from [redacted] He was instructed to clean the oil from a drainage line where it had accumulated, but was told not to begin the clean up until 5:00 p.m., when most of the plant workers would be gone for the day. b6 b7C

[redacted] learned that when the compressor spilled its oil, it sprayed the oil on the floor over an area surrounding the machine, and that some of the oil had flowed into the floor drain. The day shift maintenance crew had put down a dry, oil absorbsion material on the floor, which had soaked up some of the oil. This material had thereafter been swept up and thrown into a dumpster. The floor was still slippery, however, so a citrus degreaser had been used to further clean the floor. [redacted] believes that this degreaser and the oil which had initially flowed into the drain is what he was to clean from the drain. b6 b7C

(X) [redacted]

[redacted] described the drain which he was tasked to clean as being some type of drainage collection pit. [redacted] looked into the pit and saw that it contained a liquid substance with an oily appearance, which was reddish-brown in color. For the clean up project, [redacted] had been instructed to use a pump and hoses supplied [redacted] instructed [redacted] to put the hose just at the surface and to pump only the oil from the top of the water. [redacted] was to pump the oil into four drums. [redacted] employee was assigned to assist, and a [redacted] was assigned to transport the drums. b6 b7C

060 [redacted] 01.302 b6 b7C

Investigation on 2/10/99 at Toledo, Ohio

File # 249A-CV-59719 Date dictated 2/10/99

by SA [redacted]
SA

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

249A-CV-59719-3

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[redacted] began the clean up, but had difficulty collecting only the oil from the surface. The substance in the pit appeared to be a mixture of many things, such that it was difficult for [redacted] to differentiate the level at which the oil stopped and the water started. [redacted] decided to pump the entire contents of the pit into the drums since he could not get the oil alone. Soon, however, the four drums were full but the pit was not near empty. [redacted] advised [redacted] of this development, and [redacted] came to inspect what [redacted] had done. [redacted] put a finger into the mouth of one of the barrels in order to determine what [redacted] had pumped from the pit. From this test, [redacted] determined that the barrels contained water, and concluded that [redacted] had placed the pumping hose too deeply into the pit with the result that he had pump out only water from underneath the oil. [redacted] instructed [redacted] to dump the four barrels into a drain behind the plant outside the receiving department. [redacted] informed [redacted] that this particular drain was plugged so the water would be contained within that drain. [redacted] instructed [redacted] to thereafter re-fill the barrels, this time being careful to extract only the oil from the surface of the liquid in the pit.

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[redacted] did not believe that he had pumped only water into the barrels. In fact, two of the barrels he had used had contained a small amount of liquid before he began the pumping operation. These two barrels had originally contained a citrus degreaser product and were not completely empty when [redacted] began the clean up. [redacted] estimates that the two barrels each had five to six inches of liquid which smelled like citrus degreaser in them when he had begun. In addition to which [redacted] observed that the liquid in the barrels did not look like water, but appeared to be murky. Two of the barrels were plastic which enabled [redacted] to see the liquid contained therein. [redacted] protested to [redacted] indicating that he did not want to dump the barrels for fear of what they contained. [redacted] was adamant that they contained only water and insisted that [redacted] dump them and refill them with the oil from the pit. [redacted] chided [redacted] for having attempted to drain all the liquid from the pit, and told [redacted] to "make the drums disappear." [redacted] insisted that the small amount of degreaser in the barrels would eliminate any potentially harmful substance mixed with the water, so that dumping them into the drain would not cause a problem. [redacted] also informed [redacted] that the [redacted]

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[redacted] had instructed [redacted] that the pit had to be cleaned out that very night, and if [redacted] did not do so, he would answer to [redacted] for this failure.

Based on the foregoing discussion with [redacted] instructed forklift driver [redacted] to carry the drums to the drain via forklift. Once at the drain [redacted] tipped all four of the barrels over so they would empty into the drain. [redacted] then left for a scheduled break, and another driver named [redacted] took over operation of the forklift. Before leaving, [redacted] told [redacted] that the drain into which he was dumping the barrels emptied into a nearby creek. The barrels had already nearly emptied, however, so that [redacted] was unable to stop the process. [redacted] noted that the substance from the barrels left a rainbow-like oil sheen on the concrete around the drain. He also noted that the appearance of the substance was not identical in each of the barrels, with the substance in the metal barrels having an appearance similar to that in the plastic barrels, but somewhat darker. After the dumping, [redacted] smelled a strong odor of citrus, similar to that emitted by the orange degreaser used at the plant.

Once the barrels were empty, [redacted] had [redacted] drive them back into the building. [redacted] advised [redacted] that the drain emptied into a creek or ditch behind the building. [redacted] did not care about this, insisting that the pit was full of water primarily, and insisting that any harmful material which might also be in there would be dissolved by the degreaser mixed in with it. [redacted] instructed [redacted] to refill the barrels with the substance in the pit and again dump the barrels into the drain, and again threatened that [redacted] would answer to [redacted] if he did not comply. [redacted] still refused. He instead pumped the substance from the pit into the barrels, and had [redacted] place them outside the building for storage.

When [redacted] arrived for work the following Monday, he learned from [redacted] that the EPA was coming to investigate the matter. [redacted] suggested to [redacted] that the ditch had been damaged by degreaser used during the cleaning of forktruck engines by the company which owns them. [redacted] also suggested to [redacted] that he had only pumped out four barrels from the pit, and that those four barrels were stored outside the plant. [redacted] sensed that [redacted] was "coaching" him as to what to tell the EPA

investigators in an attempt to conceal the fact that [redacted] had pumped out a total of eight drums and had dumped four of them down the drain. [redacted] told [redacted] that he refused to participate in any attempt to cover up the matter, and would tell the truth if asked.

Later, [redacted] overheard the [redacted] named [redacted] telling the EPA investigators that the material in the creek had come from the washing of forktruck engines with degreaser by the forktruck company, from bursted truck hydraulic lines or other such things. [redacted] knew this to be untrue. [redacted] ordered [redacted] to return inside the plant, in an apparent attempt to prevent [redacted] from speaking to the investigators. Thereafter, the EPA investigators asked [redacted] if he had ordered that the four drums be stored outside the building. [redacted] admitted to such. They also asked if it had rained since the barrels had been so placed, which [redacted] also answered in the affirmative. The investigators then instructed that the barrels be wrapped in plastic and stored inside the plant. They did not ask [redacted] for his version of what had happened, and [redacted] did not volunteer such.

The next day, [redacted] told [redacted] that the material in the creek had likely been carried there by rain water washing over the barrels and flowing to the drain which emptied into the creek. [redacted] knew this to be untrue and saw it as another attempt by [redacted] to conceal the dumping. For several days thereafter, [redacted] on numerous occasions reiterated to [redacted] that he had only pumped out four barrels and that a spill had never occurred. They emphasized that the creek had been cleaned up, so the matter was over and that he should discuss it with no one and simply forget it. [redacted] told [redacted] that he could make [redacted] job very easy and comfortable. He told [redacted] that he would get raises and be able to work all the overtime [redacted] wanted. [redacted] did not specifically say that these things would be a reward for [redacted] assisting in concealing the spill, but [redacted] believes that such was the case. Since that time, [redacted] has been allowed to work all the overtime he desired, and was offered a higher paying position in the Engineering department during the week preceding this interview.

On the day of this interview, [redacted] informed [redacted] that FBI Agents had arranged to discuss the matter with him.

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[redacted] advised [redacted] to, "just tell them what we talked about," which [redacted] understood to be a reference to the story concocted by [redacted] that the material in the creek had come from the washing of forklift engines, broken hydraulic lines and rain water washing over the barrels which had been stored outside, but [redacted] did not specifically say as much. [redacted] told [redacted] that an investigation had been started as the result of a complaint by a disgruntled employee, and that there was nothing for [redacted] to worry about.

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At the conclusion of this interview, [redacted] allowed the interviewing Agents to [redacted]

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Cleveland,OH 44199

March 2, 1999

UNSUBS;
GUARDIAN INDUSTRIES INCORPORATED

The Cleveland Division of the Federal Bureau of Investigation (FBI), Toledo Resident Agency, is investigating allegations that employees of the captioned company dumped four drums of an oil water mixture into a storm drain. Guardian Industries, Inc., is an international corporation headquartered in Auburn Hills, Michigan. The alleged dumping occurred at the Guardian plant located at 24145 West Moline-Martin Road, Millbury, Ohio, around December 7, 1998.

The drums contained a liquid substance believed to have been a mixture of water, degreaser and oil. The substance originated from a drainage pit located within the plant which had become filled with the substance when a compressor seal blew, spewing a quantity of oil. The substance was pumped from the pit and into four drums, these drums being the only empty drums at the plant. Once all of the available drums were filled, however, the pit was still full of the oily substance. One of the plant's engineers determined that the pumping crew had held the pump hose too deeply into the pit and had extracted the water from underneath the oil instead of the oil. Believing the drums to contain predominantly water, the engineer ordered the barrels dumped into an outside storm drain so that the drums could be refilled with the oil remaining in the pit. The water in the drums was contaminated, however, with other substances, namely citrus degreaser and some quantity of oil. As a result of the dumping of the drums, a creek located on the border of the plant was polluted, and required cleaning by a professional hazardous material clean up contractor.

The investigation to date suggests that the pollution that resulted from the dumping of the drums was negligent at best, with the Guardian employees involved having no knowledge that the ensuing damage to the creek would result. The United States Attorney's Office has given preliminary indications that the matter should be pursued civilly, if at all.

061 [ ] 01. LHM

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

249A-CV-59719 -4

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/02/1999

To: Criminal Investigative **Attn:** White Collar Crime Section, Environmental Crimes Unit

From: Cleveland
Toledo RA
Contact: SA [redacted] (419) 243-6122 b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-CV-59719-5

Title: UNSUBS;
GUARDIAN INDUSTRIES, INC.;
ENVIRONMENTAL CRIMES MATTER

Synopsis: To advise of captioned investigation.

X [redacted] b6 b7C

Enclosures: Three copies of a Letterhead Memorandum.

Details: For information of FBIHQ, captioned matter was opened on 2/4/99. The enclosed LHM provides the background and current status of this investigation.

♦♦

249A-CV-59719-5

SERIALIZED INDEXED FILED

MAR 0 2 1999

[redacted] b6 b7C

061 [redacted] 02. EC ✓

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/16/99

[redacted] Guardian Industries, Inc., 24145 Moline-Martin Road, Millbury, Ohio 43447, telephone number [redacted] provided the following information after being advised of the official identity of the interviewing Agent and of the purpose for the interview: b6 b7C

Special Agent [redacted] United States Environmental Protection Agency (EPA), Cleveland, Ohio, telephone number [redacted] also participated in this interview. b6 b7C

[redacted] advised that [redacted], one of the compressors at the Guardian plant [redacted] blew a seal. [redacted] learned about the problem when he returned to work on Monday, December 7, 1998, at the regularly scheduled Monday morning meeting [redacted] The next day, investigators from the EPA visited the plant inquiring about allegations that oil spilled from the compressor had been dumped and had caused damage to a nearby creek. [redacted] did not know the details of the compressor accident since he had not been at the plant when it had occurred, so he referred the investigators to [redacted] both of whom had knowledge of the matter. The investigators were shown four barrels containing the oil which had leaked from the compressor, stored outside the plant on a pallet, to prove that the oil was contained and had not been dumped as had been alleged. b6 b7C

X [redacted]

[redacted] and [redacted] led the investigators on a tour of the plant premises, and they discovered that a ditch behind the plant contained a quantity of a light colored substance, which produced an orange-citrus odor similar to that of a degreaser used in the plant. The investigators asked how the substance had come to be in the ditch, but [redacted] and [redacted] had no answer. They speculated that it might have been caused by the cleaning of forklift engines near the ditch by the company from whom the lifts had been leased, during which degreaser is generally used. They also speculated that the substance might have come a recent incident wherein a hydraulic line on a truck had burst near the ditch. Each of these suggestions were mere speculation, however, as neither [redacted] nor [redacted] knew exactly what had caused the b6 b7C

Investigation on 2/10/99 at Millbury, Ohio

File # 249A-CV-59719 Date dictated 2/16/99

by SA [redacted] b6 b7C

063 [redacted] 01.302

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249A-CV-59719-7

 b6 b7C

substance to be in the ditch. The investigators instructed [redacted] to have the ditch cleaned, and recommended a commercial contractor. [redacted] learned sometime later that samples taken by the investigators indicated that the substance had been citrus degreaser and mineral spirits. [redacted] could not recall the last time he had seen the ditch prior to viewing it with the EPA investigators, nor could he recall the condition of the ditch the last time he had observed it.

Once the cleanup was completed, [redacted] assumed the matter was over and made no further effort to determine how the degreaser had come to be in the ditch. Thereafter, he learned that the EPA and the Federal Bureau of Investigation (FBI) were interviewing Guardian employees about allegations that oil from the compressor had been dumped and had caused the damage to the ditch. [redacted] all the employees involved in the compressor cleanup in order to determine exactly what had occurred. In this meeting, which he believes occurred on February 3 or 4, 1999, he learned that the material spewed by the compressor had collected in a pit in the floor of the plant. The cleanup crew had attempted to empty the pit by pumping the substance into four drums, but they had held the pump hose too deeply into the pit and had pumped out what at the time was believed to be primarily water, which had been trapped underneath the oil, with the result that the oil remained in the pit. As the plant had no other empty barrels, the decision had been made to dump the water from the drums into a drain outside the plant and to thereafter refill them with the oil from the pit. [redacted] one of the [redacted] made this decision, and [redacted] one of the [redacted] had carried out the dumping. This was the first time [redacted] had learned that material from the pit had been dumped into the drain outside the plant.

b6 b7C

[redacted] had no recollection of the EPA investigators being told that a company named IDS had taken the drums containing the compressor oil. [redacted] is aware that IDS services the plant's compressors, and thus would find it logical to contact IDS to reclaim the spilled oil. He specifically recalled that the investigators were shown the barrels containing the oil, and would be surprised to find that the investigators believed they had been misled regarding the whereabouts of the oil during their inspection of the plant.

b6 b7C

b6
b7C

[redacted] had little knowledge of a company named Safety Kleen having been initially contacted to clean up the compressor spill, only to be shortly thereafter canceled. He recalls having heard generally that it was going to take some period of time for Safety Kleen to accomplish the task, and that such is why they were canceled. [redacted] had no further information on this point.

[redacted] reiterated that at the time of the inspection by the EPA investigators, he had no knowledge of the four barrels of water from the pit containing the compressor oil having been dumped into the drain leading to the ditch. He now knows such to have been the case, but insisted that he did not intend to mislead the investigators because he was not aware of the dumping at the time of his discussions with the investigators.

FD-320 (Rev. 4-11-86)

In Reply, Please Refer to

File No. 249A-CV-59719

FBI CASE STATUS FORM

Date: 04/28/1999

To: Hon. Emily Sweeney, Four Seagate, Third Floor, Toledo, OH 43604
(Name and Address of USA)

From: Van A. Harp, Cleveland
(Name of Official in Charge and Field Division)

(Signature of Official in Charge)

RE: Guardian Industries, Incorporated
(Name of Subject) Age Sex

You are hereby advised of action authorized by [redacted]
(Name of USA or AUSA)

on information submitted by Special Agent [redacted] on 4/21/99 b6 b7C
(Name) (Date)

(Check One)

- ☐ Request further investigation
- ☒ Immediate declination
- ☐ Filing of complaint
- ☐ Presentation to Federal Grand Jury
- ☐ Filing of information
- ☐ Other

(X) [redacted]

For violation of Title _____, USC, Section(s) _____

Synopsis of case: On 4/21/99, SA [redacted] discussed the referenced matter with AUSA [redacted] The referenced case concerns the dumping of four barrels of contaminated water down a storm drain by employees of Guardian Industries. The employees believed the barrels contained only water, when in fact they also contained a small amount of oil and a quantity of biodegradable citrus solvent. AUSA [redacted] opined that the matter does not merit Federal prosecution and declined prosecution. Based upon AUSA [redacted] declination, we are closing our investigation into this matter. b6 b7C

118 [redacted] 02. LTR

1 - Addressee
2 - Cleveland (249A-CV-59719)
(3) [redacted]

C-5 4/29/99

249A-CV-59719-8

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

APR 28 1999

[redacted] [redacted]

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/18/1999

To: Criminal Investigative **Attn:** White Collar Crime Section, Environmental Crimes Unit

From: Cleveland
Toledo RA
Contact: SA [redacted] (419) 243-6122 b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-CV-59719 (Closed)

Title: UNSUBS;
GUARDIAN INDUSTRIES, INC.;
ENVIRONMENTAL CRIMES MATTER

Synopsis: To advise of closing of captioned matter.

Details: The background giving rise to this investigation was provided to FBIHQ in previous communications (see 249A-CV-59719, serials 4 and 5). In the interim, the U.S. Attorney's Office has declined prosecution of this case, opining that the matter should be pursued civilly, if at all. Based upon this declination, the Cleveland Division has closed its investigation into this matter.

For information.

(X) [redacted] b6 b7C

♦♦

249A-CV-59719-9
SEARCHED [redacted] INDEXED [redacted]
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MAY 18 1999
FBI - CLEVELAND

1-5
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5/20/99

[redacted]

13[redacted]04. EC

FD-986
Rev. 11-28-2012

PC-2

FEDERAL BUREAU OF INVESTIGATION
DISPOSITION OF CONSENSUAL MONITORING ELECTRONIC SURVEILLANCE (ELSUR) MEDIA ACQUIRED IN CRIMINAL INVESTIGATION

[redacted]

Case ID #: 249 - CV - 59719 **Destruction File:** 321A-CV-72787-Destruction

Case caption to include violation: Unsub; Guardian Industries; Environmental Crimes

Ensure each case meets the following requirements before submitting for review:

1. Is the case closed? ☑ Yes ☐ No
2. Has 11 years elapsed since the date of the last interception? ☑ Yes ☐ No
3. Has a check of Records Management Division (RMD) Freeze list been completed with negative results? Date checked. 1/31/2013 ☑ Yes ☐ No

If these requirements are met, continue with the disposition of the evidence. If any of these requirements cannot be met, the disposition process must stop. Complete page 4.

For Non-Automated cases (Pre-UCFN Non-Bar-Coded) and cases listed in Automated Case Support (ACS) that have not been migrated into Sentinel:

- ☑ Pull volume 1 and the last 2 volumes of the Main case file. No X File
- ☑ Enter Pre-UCFN ELSUR 1B/1D numbers in the space provided below.
- ☐ Attach ACS Collected Item Report to this form.
- ☑ Attach this form to the case file and submit for review.

List 1B/1D Numbers Additional space provide on page 5

1. 1D-1	4.	7.	10.	13.
2.	5.	8.	11.	14.
3.	6.	9.	12.	15.

Total 1B/1D numbers: 1

For automated cases created in Sentinel and ACS cases that have been migrated into Sentinel:

- ☐ Verify case is available for review using Sentinel.
- ☐ Generate an evidence report in Sentinel.
- ☐ Attach the Sentinel report to this form and submit for review.

EOT: [redacted] 2/8/13 (Date)

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b7C

CV-59719-10

FD-986
Rev. 11-28-2012

FEDERAL BUREAU OF INVESTIGATION
DISPOSITION OF CONSENSUAL MONITORING ELECTRONIC SURVEILLANCE (ELSUR) MEDIA ACQUIRED IN CRIMINAL INVESTIGATION

Part II Eligibility Review of Media
To be completed by the Special Agent (SA)

1. Are there pending fugitive issues? ☐ Yes ☒ No
2. Are there pending or anticipated litigation or prosecution issues? ☐ Yes ☒ No
3. Does the media still have investigative value? ☐ Yes ☒ No
4. To the best of your knowledge, does the evidence contain data from a national known figure or event that was prominent in the national news?* ☐ Yes ☒ No

SA [redacted] [redacted] 02/25/2013
(Signature) (Date)

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*If yes, contact the RMD Records Disposition Unit (RDU). Advise RDU of the historical value and request instructions on how to proceed. If the case is found to be historical, it must be coordinated with RMD to deliver the evidence to the RDU.

Note: For older cases where the original case agent is not available to review, use RMD Freeze List to provide answers to questions listed above.

Part III Destruction Authorization
To be completed by the Supervisory Agent (SSA)

Based upon applicable regulations and FBI Guidelines governing the destruction of original ELSUR Consensual Monitoring media acquired during the course of a criminal investigation and the information presented to me herein:

☒ I authorize the destruction of this media by "approved destruction method" under the guidelines set by the Security Division and in the presence of an EOT.

☐ I decline to authorize the destruction of this media pending further action/interest. Media will remain in ELSUR storage under the custody and control of the EOT

Note instructions if any: _____

SSA: [redacted] [redacted] 2/25/2013
(Signature) (Date)

Title: ASSA

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b7C

(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/04/1999

To: Cleveland

From: Cleveland
Toledo RA
Contact: SA [redacted] 419-254-8951 b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-CV-NEW 59719 (Pending)

Title: UNSUBS;
GUARDIAN INDUSTRIES, INC.
ENVIRONMENTAL CRIMES MATTER

Synopsis: Opening EC.

Details: During early December, 1998, maintenance employees at captioned company were ordered to dump four 55-gallon drums of oil into a storm drain. The dumped oil drained into a nearby creek, causing substantial damage.

Recommend open and assign.

X [redacted] b6 b7C

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[redacted] b6 b7C

249A-CV-59719-

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FEDERAL BUREAU OF INVESTIGATION
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/12/2005

[redacted] also known as, [redacted] a white male; date of birth: [redacted] Social Security Account Number (SSAN): [redacted] home telephone number: [redacted] home fax number: [redacted] cellular telephone: [redacted] home address: [redacted] email address: [redacted] was advised of the identity of the interviewing Agent, as well as the nature of the interview. Also present during the interview was U. S. DEPARTMENT OF JUSTICE - ANTITRUST DIVISION TRIAL ATTORNEYS [redacted] and [redacted] was specifically advised that the interview was voluntary, and that he could terminate the interview at anytime. At the beginning of the interview [redacted] was served with a Federal Grand Jury Subpoena. [redacted] provided the following information:

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[redacted]

b3
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Investigation on 04/05/2005 at San Antonio, Texas

File # 60-GC-122695-27 Date dictated 04/12/2005

by SA [redacted]

b6
b7C

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FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/12/2005

[redacted] a white male, work address: [redacted] work telephone number: [redacted] fax number: [redacted] email address: [redacted] was advised of the identity of the interviewing Agent, as well as the nature of the interview. Also present during the interview was U. S. DEPARTMENT OF JUSTICE - ANTITRUST DIVISION TRIAL ATTORNEYS [redacted] and [redacted] was specifically advised that the interview was voluntary, and that he could terminate the interview at anytime. [redacted] provided the following information:

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[redacted]

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Investigation on 04/05/2005 at San Antonio, Texas

File # 60-CG-122695-30 Date dictated 04/12/2005

by SA [redacted]

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b7C

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/12/2005

[redacted] a white male, work address: [redacted] work telephone numbers: [redacted] and [redacted] fax number: [redacted] email address: [redacted] was advised of the identity of the interviewing Agent, as well as the nature of the interview. Also present during the interview was U. S. DEPARTMENT OF JUSTICE - ANTITRUST DIVISION TRIAL ATTORNEYS [redacted] and [redacted] was specifically advised that the interview was voluntary, and that he could terminate the interview at anytime. At the beginning of the interview [redacted] was served with a Federal Grand Jury Subpoena. [redacted] provided the following information:

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[redacted]

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Investigation on 04/05/2005 at San Antonio, Texas

File # 60-CG-122695 -29 Date dictated 04/12/2005

by SA [redacted]

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b7C

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/05/2005

On April 5, 2005 was interviewed by the writer and (a DOJ trial attorney) at his hotel room at the Marriott Riverwalk Hotel in San Antonio, Texas. had been contacted by telephone the previous day and at that time voluntarily agreed to the interview is described as a male with a date of birth of August and His business address is: and his business telephone number is or His e-mail address is: His cell phone number is and his home telephone number is and his home address is is an employee of ; his job title there is

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b7C
b7D

Investigation on April 5, 2005 at San Antonio, TX

File # 60-CG-122695-28 Date dictated 04/05/2005

by SA

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FEDERAL BUREAU OF INVESTIGATION
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FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/04/2005

On April 3, 2005, [redacted] was interviewed by DOJ Trial Attorney [redacted] and the writer in [redacted] at [redacted] advised [redacted] that many people in the purified isophthalic acid(PIA) industry were being interviewed by the FBI and DOJ as part of an investigation of the PIA industry. [redacted] asked [redacted] to be interviewed voluntarily. [redacted] voluntarily agreed to be interviewed [redacted] apologized to [redacted] for the inconvenience of the interview.

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[redacted]

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Investigation on 04/03/2005 at San Antonio, Texas

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b7C

File # 60-CG-122695-26 Date dictated 04/04/2005

by SA [redacted]

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(Rev. 01-31-2003)

NRA

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 08/26/2004

To: Chicago Attn: SSA [redacted] b6 b7C

From: Criminal Investigative
Integrity in Government/Civil Rights Section/Public Corruption/Governmental Fraud Unit
Contact: SSA [redacted] b6 b7C b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 60A-HQ-C1394691 (Pending) -123

Title: ANTITRUST MATTER
DOJ REQUEST FOR FBI ASSISTANCE
PURIFIED ISOPHTHALIC ACID INVESTIGATION

Synopsis: A Department of Justice (DOJ) request for investigative assistance in the captioned matter is being referred to Chicago for appropriate handling.

Enclosure(s): Two copies of a memorandum, dated 4/18/2003, from the Antitrust Division (AD), DOJ.

Details: Enclosed for the Chicago Division are two copies of a memorandum from the AD, DOJ, dated 08/26/2004, requesting FBI investigative assistance into allegations of possible price fixing among producers of purified isophthalic acid (PIA). DOJ requests FBI assistance in all phases of the investigation. DOJ also requests expedited assignment of an agent in the Chicago area due to a short window of opportunity for consensual monitoring.

For the information of Chicago, in recent years, the AD changed the focus of its enforcement of statutes relating to restraint of trade. Historically, the efforts had been primarily civil in nature. Within the past 10 years, however, the AD has primarily used criminal statutes. Besides the traditional use of the Sherman Act and related statutes, the AD has used various Title 18, U.S. Code Sections within the primary investigative jurisdiction of the FBI in its enforcement efforts.

The AD does not have dedicated investigative staff and historically has used either FBI resources or the AD's own attorneys to conduct investigations. Due to limited resources,

[redacted] b6 b7C

2

60-CG-122695

[redacted]

the AD has focused resources on those situations that were the most egregious. FBI Headquarters (FBIHQ) has contacted the AD to develop a plan by which investigations would have a major impact on a particular industry in which there exists a major problem.

FBIHQ and the AD agree on the benefits of notifying the FBI upon the initiation of an investigation. The FBI's investigative expertise and the ability to use covert investigative techniques, where appropriate, to focus resources on investigations with potential significant impact in industries where there exists a major problem are added investigative benefits.

Chicago should contact the DOJ attorneys assigned to this matter upon receipt of this communication to ensure that the request received from DOJ accurately reflects the attorney's need. The AD attorneys assigned to this matter are [redacted] and [redacted] can be reached at [redacted] at [redacted] and [redacted] at [redacted] b6 b7C

Questions concerning this matter may be directed to SSA [redacted] in the PC/GFU, FBIHQ, at [redacted] b6 b7C b7E

LEAD(s):

Set Lead 1: (Action)

CHICAGO

AT CHICAGO

Conduct investigation as set forth in the EC. Contact the DOJ attorney assigned to this matter upon receipt of this communication.

♦♦

S: 27[redacted]02/.302

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60-CG-122695

[redacted]

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/22/2004

[redacted] b6 b7C b7D
telephone number [redacted], was advised of the identity of the interviewing agent and the purpose of the interview. Also present for the interview was U.S. Department of Justice, Antitrust Division, National Criminal Enforcement Section, trial attorneys, [redacted] b6 b7C b7D
and [redacted] attorneys [redacted] and [redacted] of [redacted] telephone number [redacted] were also present for the interview. Also present was [redacted] telephone number [redacted].

[redacted] was advised that the interview was being conducted pursuant to the terms of a proffer agreement. [redacted] advised that he understood the terms of this agreement and signed a letter which set forth the terms of the agreement. [redacted] then provided the following information: b6 b7C b7D

[redacted] b5 b6 b7C b7D

Investigation on 9/17/04 at [redacted] b6 b7C b7D

File # 60-CG-122695 Date dictated 9/22/04

by SA [redacted]

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(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/06/2004

To: Chicago

From: Chicago
SRA2
Contact: SA [redacted] b6 b7C b7E

Approved By [redacted]

Drafted By: [redacted]

Case ID #: 60-CG-122695 (Pending) 4

Title: UNKNOWN SUBJECT(S),
aka - ET AL;
KOCH INDUSTRIES, INC.,
dba FLINT HILLS RESOURCES,
WITCHITA, KANSAS
BRITISH PETROLEUM (BP),
JOLIET, ILLINOIS;
ET AL:
ANTITRUST

Synopsis: Request for authorization to travel to Washington D.C. on December 9-10, 2004 to conduct interviews scheduled by DOJ Antitrust Division attorneys

Details: This is an international price fixing case involving the oil industry's performance chemical production. Koch Industries, dba Flint Hills Resources (FHR), recently purchased an oil refinery complex in Joliet, Illinois from British Petroleum (BP). This Joliet, Illinois facility produces purified isophthalic acid (PIA) and trimellitic anhydride (TMA) and Maleic Anhydride (MAN) which are known in the industry as intermediate chemicals.

PIA is a product most commonly used in polyethylen terephthalate (PET) production of clear plastic bottles such as water and soda bottles. FHR's PIA production from its Joliet facility is shipped and sold globally.

TMA is a product commonly used in the production of the plastic coating for certain categories of wires used in electronics, automotive and lighting. The TMA provides a certain

4
60-CG-122695

S:34 [redacted] EC [redacted] [redacted] b6 b7C

level of heat resistence for the wire coating. FHR's TMA production from its Joliet facility is shipped and sold globally.

MAN is a molten liquid chemical product commonly used in polyester production for insulation and other fiber glass products such as counter tops, tubs, and marine applications. Whereas MAN is produced as a molten product, overseas or remote sales of the product are difficult because of transportation issues.

After purchasing the facility from BP, representatives of FHR have been contacted by competitors from Italy, Japan, and Singapore inquiring whether FHR will maintain the same price fixing arrangement that these companies had with BP.

b7D

DOJ, Antitrust Division is paying for the cost of reporting agents travel and lodging. DOJ, Antitrust Division has previously paid for reporting agent on two previous trips to D.C. to conduct witness interviews. As such, there is no cost to the FBI for requested travel.

♦♦

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/17/2004

[redacted] b6 b7C b7D

Office telephone number [redacted] mobile telephone number [redacted] was advised of the identity of interviewing agent and the purpose of the interview. It was explained to [redacted] that the voluntary interview was being conducted pursuant to a non-prosecution/cooperation agreement, [redacted] then signed an agreement which set forth the terms of the agreement. Also present for the interview was [redacted] attorneys, [redacted] and [redacted] of [redacted] telephone [redacted] Also present was Department of Justice, Antitrust Division representatives, [redacted] and [redacted] then provided the following information: b6 b7C b7D

[redacted] b5 b6 b7C b7D

Investigation on 12/10/04 at [redacted] b6 b7C b7D

File # 60-CG-122695-5 Date dictated 12/17/04

by SA [redacted]

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5:003 [redacted] 01.302

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b6
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[redacted] 6

[redacted]

S: 363 [redacted] 01.302

CO-CG-122695 /10

[redacted]

b6
b7C

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/2004

[redacted] b6 b7C b7D

[redacted] Office telephone number [redacted] Mobile telephone number [redacted] was advised of the identity of the interviewing agent and the purpose of the interview. It was explained to [redacted] that the voluntary interview was being conducted pursuant to a non-prosecution/cooperation agreement, [redacted] then signed an agreement which set forth the terms of the agreement. Also present for the interview was [redacted] attorneys, [redacted] b6 b7C b7D and [redacted] of [redacted] telephone [redacted] Also present was Department of Justice, Antitrust Division representatives, [redacted] and [redacted] then provided the following information:

[redacted] b5 b6 b7C b7D

Investigation on 12/10/04 at [redacted] b6 b7C b7D

File # 60-CG-122695 Date dictated 12/16/04

by SA [redacted]

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S:00[redacted]01.302

60-CG-122695

[redacted]

-7

[redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/15/2004

[redacted] b6 b7C b7D

[redacted] Home/Office telephone number [redacted] mobile telephone #1, [redacted] mobile telephone #2 [redacted] was advised of the identity of the interviewing agent and the purpose of the interview. It was explained to [redacted] that the voluntary interview was being conducted pursuant to a non-prosecution/cooperation agreement, [redacted] then signed an agreement which set forth the terms of the agreement. Also present for the interview were [redacted] attorneys [redacted] and [redacted] of [redacted] telephone [redacted] Also present were Department of Justice, Antitrust Division personnel, [redacted] and [redacted] and [redacted] provided the following information: b6 b7C b7D

[redacted] b5 b6 b7C b7D

Investigation on 12/9/04 at [redacted] b6 b7C b7D

File # 60-CG-122695 Date dictated 12/15/04

by SA [redacted]

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(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 01/28/2005

To: San Antonio Attn: ASAC [redacted] b6 b7C
SSA [redacted]

Criminal Investigative Attn: Public Corruption/
Governmental Fraud Unit

[redacted]

From: Chicago
Squad SRA2
Contact: SA [redacted] b6 b7C b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 60-CG-122695 ~ 8 (Pending)

Title: UNKNOWN SUBJECT(S),
aka - ET AL;
KOCH INDUSTRIES, INC.,
dba FLINT HILLS RESOURCES,
WITCHITA, KANSAS
BRITISH PETROLEUM (BP),
JOLIET, ILLINOIS;
ET AL:
ANTITRUST

Synopsis: Request for authorization for Chicago agents to travel to San Antonio, Texas and request for San Antonio agents to assist in conducting interviews and the serving of subpoenas on certain subjects and targets of captioned case who are attending the International Petrochemical Conference in San Antonio on April 3-5, 2005

Enclosure(s): Information and schedule for the International Petrochemical Conference in San Antonio on April 3-5, 2005

Details: Captioned case is an international price fixing case involving the oil industry's performance chemical production division. Koch Industries, dba Flint Hills Resources (FHR), recently purchased an oil refinery complex in Joliet, Illinois from British Petroleum (BP). This Joliet, Illinois facility produces purified isophthalic acid (PIA) and trimellitic anhydride (TMA) and other chemical products which are known in the industry as intermediate chemicals.

[redacted] b6 b7C

5:031[redacted]03.EC [redacted]

60 CG-122695

PIA is a product most commonly used in polyethyleen terephthalate (PET) production of clear plastic bottles such as water and soda bottles. FHR's PIA production from its Joliet facility is shipped and sold globally.

TMA is a product commonly used in the production of the plastic coating for certain categories of wires used in electronics, automotive and lighting. The TMA provides a certain level of heat resistence for the wire coating. FHR's TMA production from its Joliet facility is shipped and sold globally.

After purchasing the facility from BP, representatives of FHR were contacted by performance chemical competitors from Italy, Japan, and other countries inquiring whether FHR will maintain the same "arrangement" that these companies had with BP. Several of the E-Mails and communications strongly suggest that the competitors are seeking a price fixing arrangement similar to the one they may have had with BP. b7D b7E

[redacted]

As a result, [redacted] an attorney with DOJ's antitrust division in Washington D.C., telephone number [redacted] has requested the FBI's assistance in conducting target interviews and serving subpoenas at the International Petrochemical Conference in San Antonio on April 3-5, 2005. Most of the international companies, including FHR, which compete within the chemical specialty industry are expected to be in attendance. b6 b7C b7E

[redacted]

Attempts would be made to interview between 25 to 30 participants in the conference. DOJ's Antitrust division in Washington D.C. will be sending at least three attorneys and two paralegals to San Antonio to assist in the exercise. One agent will be paired with each attorney and the case agent to form interview teams. Where appropriate two agents will be paired for other interviews

Another agent or two would assist in working with logistical issues such as locating the subjects at local hotels [redacted] b7E

As a result, approximately 6 to 8 agents will be necessary to complete the exercise. DOJ Antitrust Division has indicated that they would pay for the travel expenses of three Chicago agents including the case agent to travel to San Antonio for the investigation. It is requested that San Antonio provide approximately four additional agents to assist with the interviews and investigation. On January 26, 2005, case agent telephonically contacted ASAC [redacted] of the San Antonio division and provided a brief telephonic summary of the proposed investigation. He did not have any objections and indicated that San Antonio agents could be made available to assist pending his this communication. b6 b7C

DOJ is preparing subpoenas for [redacted] b3

[redacted] A lead would be sent at a later date requesting San Antonio's assistance in serving these subpoenas and to provide any recommendations for [redacted]

The case agent has reported to the DOJ Antitrust attorneys handling this case that Alan Greenspan, Chairman, U.S. Federal Reserve System will be a featured speaker at a luncheon scheduled for the last day of the conference (April 5th). DOJ, Antitrust Division will make any necessary notifications to Mr. Greenspan's office.

[redacted] b7E

In March 2005, approximately two weeks before the planned exercise, the case agent and DOJ Antitrust attorneys involved in the case would fly to San Antonio to meet the San Antonio agents and provide them a briefing, and interview packets concerning the case and the individuals who would be interviewed.

On January 26, 2005, [redacted] of the Public Corruption/Government Fraud Unit at FBI HQ was telephonically briefed on the proposed exercise by the case agent. [redacted] did not have any objections and offered any assistance that FBI HQ might be able to provide.

b6
b7C

LEAD(s):

Set Lead 1: (Action)

SAN ANTONIO

AT SAN ANTONIO, TEXAS

It is requested that San Antonio make approximately 4 agents available to assist in interviews and serving subpoenas of certain targets and subjects participating in the Petrochemical Conference in San Antonio, Texas on April 3-5, 2005

♦♦

San Antonio

30th NPRA International Petrochemical Conference: Advance Program

Henry B. Gonzalez
Convention Center
April 3- 5, 2005

Register by March 4
and save $100!

Register online at
www.npra.org

NPRA

National Petrochemical & Refiners Association

1899 L Street, NW
Suite 1000
Washington, DC
20036.3896

Presorted
Standard
U.S. Postage
PAID
Harrisonburg, VA
Permit No. 161

NPRA

International Petrochemical Conference

Site Map
Issues Index
Register Now
Contact Us

- Quick Facts
- Schedule of Events
- Developing Program
- Register Now
- Sponsorships
- Hospitality Info
- Press Center
- Frequently Asked Questions
- Contact Us

2005 International Petrochemical Conference

April 3-5, 2005
San Antonio Convention Center
San Antonio, Texas

Click here for online registration.

Click here to view the Advance Program.

Conference Description

The International Petrochemical Conference is the premier meeting on petrochemicals worldwide attended by roughly 3,200 industry members and offering a global networking opportunity. The meeting consists of a variety of sessions covering key political, economic, and environmental issues affecting the petrochemical industry.

Program Highlights

The Honorable Alan Greenspan, Chairman, U.S. Federal Reserve System, will be featured at the International Petrochemical Luncheon on Tuesday.

Start Addendum

30th NPRA International Petrochemical Conference Advance Program

NPRA

Schedule at a Glance

30th NPRA International Petrochemical Conference

The 30th NPRA International Petrochemical Conference continues to be the premier meeting on petrochemicals worldwide and offers a unique global networking opportunity. Sessions with widely known speakers cover key political, economic, and supply chain issues affecting the petrochemical industry.

The conference will be held in the San Antonio Convention Center located at the corner of South Alamo and Market Streets. This location is convenient to all hotels, with easy and quick access to city activities.

You should attend to meet old contacts and make new ones, to learn about new business opportunities, and to exchange ideas on the most pressing petrochemical issues. Be part of the International Petrochemical Conference which has become the global petrochemical fraternity.

Mark your calendar today to assemble at the Convention Center in San Antonio, Texas, April 3-5, 2005.

Saturday	April 2, 2005
1:00 pm – 6:00 pm	Registration

Sunday	April 3, 2005
9:00 am – 6:00 pm	Registration
4:00 pm – 5:30 pm	Chemical Heritage Foundation / NPRA Symposium and Presentation of Petrochemical Heritage Award
6:00 pm – 8:00 pm	Welcome Reception along the scenic San Antonio River

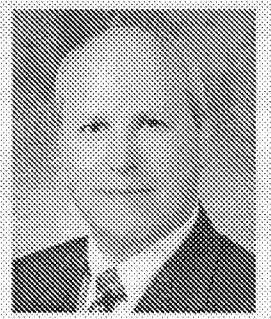
Monday	April 4, 2005
7:00 am – 2:00 pm	Registration
7:30 am – 10:00 am	Keynote Breakfast
10:00 am – 12:00 pm	Supply Chain Forum
11:30 am – 2:00 pm	Spouse "Right off the Runway" Luncheon – Back by popular demand

Tuesday, April 5	
8:00 am – 12:00 pm	Registration
9:00 am – 11:00 am	Forum on Petrochemical Challenges
11:30 am – 2:00 pm	International Petrochemical Reception and Luncheon

Note: All afternoons will be open to allow maximum time for business meetings.
Attire is business casual (no tie – coat optional).

San Antonio

Message from the IPC Program Chair



Alan Vanacore
2005 IPC Program Chair
Vice President
Sunoco Chemicals

On behalf of the NPRA Petrochemical Committee, I want to invite you to attend the 30th NPRA International Petrochemical Conference in San Antonio, Texas, April 3-5, 2005.

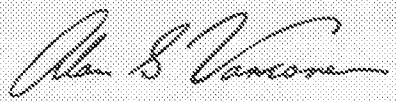
After several years of coping with difficult market conditions, recovery is finally under way in the global petrochemical business. But questions remain. With rising costs in feedstocks, is the recovery sustainable? What is the best way to take advantage of the challenges and opportunities of globalization? What is the status of the Alaskan gas pipeline and will the industry benefit from increased imports of LNG? What role will China's economic growth play in future petrochemical profitability?

To get the answer to these and other important questions, you must attend the International Petrochemical Conference. Our luncheon speaker, the Honorable Alan Greenspan, Chairman of the U.S. Federal Reserve System, will provide his outlook for the world economy and his perception of the role of natural gas, including LNG, in the U.S. economy.

This year's program features an impressive line-up of speakers who will offer insights into today's most critical issues. The Keynote Breakfast speakers are Wang Jinxing, President of China Petroleum & Chemical Corp. (Sinopec) and Dan Smith, President & CEO, Lyondell Chemical Company. For the Supply Chain Forum, Jim Young, President & COO of Union Pacific Railroad, will review the role of railroad operations past, present and future. Fred Lingerer, Vice President, SAP America, Inc., will focus on innovation of business operations. The Petrochemical Forum will feature Governor of Alaska Frank Murkowski (invited) discussing the status of the Alaskan gas pipeline, and Mark Sikkel, Vice President, LNG Terminals and Transportation, ExxonMobil Development Company, who will present the natural gas outlook, including LNG. Plus, there will be an opportunity to network with over 3,000 industry representatives from nearly 600 companies, based in 45 countries.

We invite you to be a part of the International Petrochemical Conference, which has become a must for global petrochemical information. Come to be part of the global petrochemical "community" in the convenient and familiar San Antonio setting. We look forward to seeing you there!

Best regards,



IPC Program Highlights

Sunday, April 3

Chemical Heritage Foundation / NPRA Symposium on Entrepreneurship and Innovation in the Petrochemical Industry
4:00 pm – 6:30 pm
Room 103A

The topic this year is Building A Global Enterprise: Innovation and Entrepreneurship in Petrochemicals. The panel includes Dr. William Stavropoulos, Chairman, The Dow Chemical Company and Rein Willems, President Director, Shell Netherlands.

Following the panel, the Petrochemical Heritage Award will be presented to T. T. Chao, Founder, Westlake Chemical Corporation.

Welcome Reception
6:30 pm – 8:30 pm
The Grotto at the Convention Center

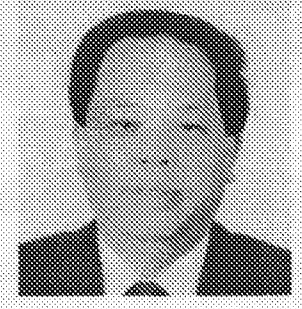
Don't miss what is always the networking opportunity of the year!! Attend the welcome reception with over a thousand of your peers in the worldwide petrochemical industry.

The Grotto at the Convention Center along the San Antonio River.

Photo courtesy San Antonio Convention & Visitors Bureau

Monday, April 4

Keynote Breakfast
7:30 am – 9:00 am
Ballroom A

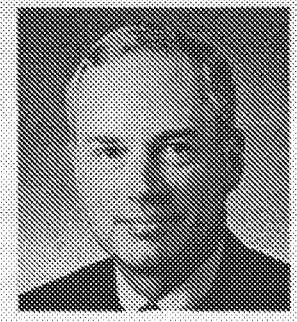


Wang Jiming, Vice-Chairman and President, China Petroleum & Chemical Corp. (Sinopec), will present his viewpoints on the current conditions of the petrochemical industry in Asia, with a focus on China.

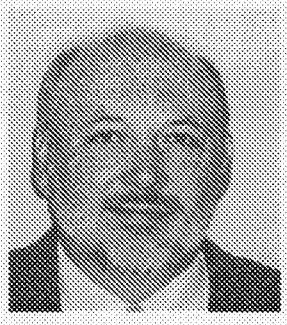
Dan F. Smith, President & Chief Executive Officer, Lyondell Chemical Company, will give his perspectives on the international petrochemical industry.

Tuesday, April 5

Supply Chain Forum
10:00 am – 11:00 am
Room 1004



James R. Young, President & Chief Operating Officer, Union Pacific Railroad will speak about "The Role of the Railroad in the Chemical Industry – Past, Present and Future."



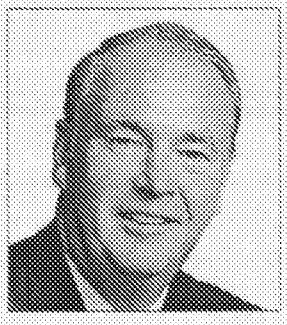
Fred Ungerer, Vice President Process Industries, SAP America, Inc., will speak on "Unleashing Latent Profitability Through Adaptive Business."

Spouse Program:
"Right off the Runway" Luncheon
11:30 am – 2:00 pm
Room 007

Due to the popularity of the style show in 2004, this event returns to the IPC in 2005. All fashion enthusiasts should plan to spend an enjoyable afternoon with good friends, good food and high fashion. Spring collections from a major department store will grace the runway.

Forum on Petrochemical Challenges
9:00 am – 12:00 pm
Room 1004

Mark Sikkel, Vice President, LNG Terminals and Transportation, ExxonMobil Development Company, will present the natural gas outlook, including LNG.



Frank H. Murkowski, Governor of Alaska (invited), will discuss the status and timing of the Alaskan gas pipeline.

International Petrochemical Luncheon
12:00 pm – 2:00 pm
Ballroom A (Tickets required)

The Honorable Alan Greenspan, Chairman, U.S. Federal Reserve System. Chairman Greenspan has chaired the U.S. Federal Reserve System since August 1987. Dr. Greenspan will offer his outlook for the world economy and his unique perspectives on the role of natural gas, including LNG, in the U.S. economy.

How to Register

1. Conference Registration and Tickets

Log on to www.npra.org and select "Meetings", "International Petrochemical Conference" then "Register Now" or complete the enclosed registration form. Registration includes admission to the Symposium on Entrepreneurship and Innovation in the Petrochemical Industry, the Welcome Reception, the Supply Chain Forum, and the Forum on Petrochemical Challenges. Order tickets for special events such as the Keynote Breakfast, Spouse Luncheon, and International Petrochemical Luncheon. Refer to the registration form for conference and ticket fees.

Note: Ticketed functions are open to registered attendees only. Be sure to register by February 10, 2005 to have your name included in the IPC attendee list in the Program Book. March 18 is the cutoff date to be listed in the registration supplement. Plus, you'll save $100 if you register by March 4!

2. Hotel Reservations

Reserve your hotel online when you register at www.npra.org and receive an immediate acknowledgement of your reservation. Or, fill in the appropriate space on the enclosed registration form. Hotel reservation requests will be processed in the order received by the NPRA. Get immediate acknowledgement on-line but allow 3 weeks if submitted to NPRA. The hotels require a deposit equal to one night room rental plus tax to guarantee your room. The Hilton Hotel will charge the deposit upon receipt of your reservation in early March 2005. If no deposit information is provided within 30 days prior to arrival, your reservation will be cancelled. Hotel-specific cancellation policies will be printed on your email registration confirmation from NPRA and should also appear on your hotel confirmation. The cut-off date for making hotel reservations, cancellations or substitutions through NPRA or on-line is March 4. Beginning March 10, reservations, substitutions, or cancellations must be made directly through the hotel.

3. Spouse Registration

For just $50, your spouse can join you at the Welcome Reception and the included business sessions. There is a separate *fee of $100 for the Spouse Luncheon and* Fashion Show on Monday, April 4.

4. Payment

Pay by credit card, check or wire transfer. If you register on-line but wish to pay by check or wire please be sure to include your system ID# and name with payment.

5. Travel

Continental Airlines (CO) is the official airline of the IPC. Book online at http://www.continental.com/specials/group/meetingworks/reservations.asp or call your travel agent or CO direct at 800.468.7022. Refer to Z code ZJRT and agreement code 3NB2CZ. CO offers zone fares and 10% off fares in all markets except travel between its hubs. Tickets purchased more than 60 days prior to departure receive an additional 5% off the discounted fares.

AVIS is the official rental car agency for the IPC. Call 800.331.1600 and refer to AWD#:B761399 to receive discounted rates.

6. Suites and Meeting Rooms

Contact Merla Zollinger at 202.457.0480 or email at merlaz@npra.org.

7. Confirmation

Your registration will be confirmed via e-mail if you provided us your email address. Otherwise, your confirmation will be sent via U.S. mail.

Cancellation Policy: Registration substitution/ cancellations may be made on-line, faxed to 202.835.0467 or e-mailed to IPC@npra.org. Substitute conference registrations may be made in advance or on arrival with no penalty. Cancellations may be made by March 4, 2005 with no penalty. Cancellations made online or written cancellations postmarked, faxed, or emailed between March 5 and March 18, 2005 will receive a refund of fees, less a $50 processing fee. No refunds after March 18. No telephone cancellations.

Ticket Refund Policy: Refunds will be made on *individual tickets* purchased if request is received in writing by March 18, 2005. No Refunds after March 18.

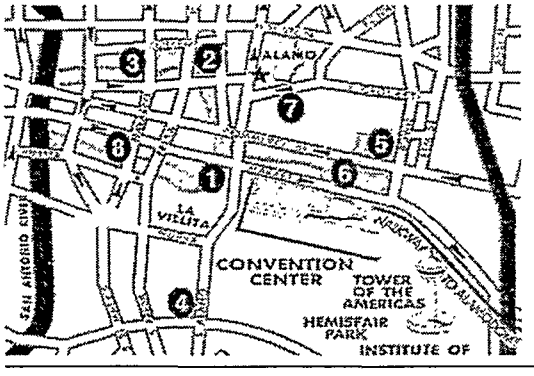
Refunds will be made on *tables of tickets* purchased if request is received in writing by March 4. No refunds after March 4. Ticketed functions are open to *registered attendees* only. All individuals using tickets purchased as a table must be registered for the conference.

Spouse / Guest Policy: A guest is a spouse/ significant other, friend or an adult child (18 years old or older) who is not in an industry-related occupation. A co-worker, an associate or spouse who works within the industry may not use the Spouse/Guest Registration category.

Fee Policy: Eligibility for member rates is based on membership information currently on file with NPRA. If your company is not currently a member, the non-member fees will be charged to your credit card.

Registration Policy: Those who are present at the site of an NPRA meeting and/or occupy a hotel room in the NPRA room block to conduct business with industry personnel gathered for that meeting are expected to register for that meeting and pay *the registration fee, whether or not they attend a* specific function.

IPC05 Hotel Options



Hotel	Hotel Code	Single Rate	Double Rate	On Riverwalk?	Blocks to Conv.	Phone Number
1. Hilton Palacio del Rio	HPR	$201	$217	Yes	< 1	210.222.1400
2. Hyatt Regency	HYR	$205	$205	Yes	2	210.222.1234
3. La Mansion del Rio	LMR	$204	$204	Yes	5	210.518.1000
4. Marriott Plaza San Antonio	PLZ	$198	$209	1.5 blk.	2	210.229.1000
5. Marriott Rivercenter	MRC	$202	$219	Yes	1	210.223.1000
6. Marriott Riverwalk	SAM	$202	$219	Yes	< 1	210.224.4555
7. Menger Hotel	MEN	$130	$130	1 blk	2	210.223.4361
8. Westin Riverwalk	WES	$209	$209	Yes	2	210.224.6500

Registration Form: IPC05

Register on-line at www.npra.org
Register by March 4th and save $100.

Step 1: Attendee Profile

Please fill out completely. Badges will be printed from this information.

Name

Title

Company

Address

Address

City | State | Zip | Country

Phone (Area/Country/City/Code) | Fax (Area/Country/City/Code)

E-mail

☐ This is not a permanent address change.

Spouse Name (if attending)

☐ Check here if you require special services. Please attach a description of your needs.

Step 2: Meeting Registration

	By March 4	After March 4
☐ Member	$ 350 _____	$ 450 _____
☐ Nonmember	$ 695 _____	$ 795 _____
☐ Spouse/Guest	$ 50 _____	$ 50 _____
☐ Monday Spouse Luncheon & Fashion Show	$ 100 _____	$ 100 _____
Monday Keynote Breakfast		
☐ Individual	$ 35 _____	$ 35 _____
☐ Table of 10	$ 350 _____	$ 350 _____
Tuesday IPC Luncheon		
☐ Individual	$ 50 _____	$ 50 _____
☐ Table of 10	$ 500 _____	$ 500 _____
Total Amount Due	_____	_____

Name of Member Company
Not sure if your company is a member? Go to www.npra.org

Register by Fax:
Fax your form with credit card information to 202.835.0467

Register by Mail:
Mail your check to
NPRA
1899 L Street, NW
Suite 1000
Washington, DC 20036

Step 3: Payment Information

Payments to NPRA are not deductible as charitable contributions for federal income tax purposes. However, they may be deductible under other provisions of the Internal Revenue Code.

☐ Check Enclosed (US Dollars only)

☐ Bank Transfer: Sun Trust Banks, Inc., Washington, DC
Routing #061000104 • Acct #206887906
SWIFT Code – SNTRUS3A
(Please include registrant's name.)

☐ Credit Card

☐ VISA ☐ MasterCard ☐ American Express

Credit Card Number

Exp. Date

Name of person on card (Please print)

Signature (Required, authorizing charge & acknowledging cancellation/refund, fee, registration, & spouse policies)

Step 4: Hotel Reservation

Housing requests must be accompanied by paid conference registration to be processed.

Arrival Date | Departure Date

If no dates are indicated, we will assign arrival Sunday, April 3 and departure Tuesday, April 5.

Enter the three letter code from the hotel list for your preferred properties (hotel list is on facing page). Please fill in a different hotel for each choice and fill in all 6 choices.

1st choice _____ 2nd choice _____ 3rd choice _____
4th choice _____ 5th choice _____ 6th choice _____

Room Type: ☐ One Bed ☐ Two Beds
Number of People in Room: _____
Room Guarantee: ☐ AMEX ☐ VISA ☐ MasterCard ☐ Discover ☐ Diners

Credit Card Number

Exp. Date

Signature

Special Requests: ☐ Smoking ☐ Non-smoking ☐ Disability ☐ Other

Fax suite requests to Merla Zollinger at 202.835.0467. Register on-line to receive immediate acknowledgement of hotel. March 4 is the final cut-off date to reserve a room. Contact the hotel directly with changes or cancellations after March 10, 2005.

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 2/15/2005

To: Chicago

From: Chicago
SRA2
Contact: SA [redacted] b6 b7C b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 60-CG-122695 (Pending) -10

Title: UNKNOWN SUBJECT(S),
aka - ET AL;
KOCH INDUSTRIES, INC.,
dba FLINT HILLS RESOURCES,
WITCHITA, KANSAS
BRITISH PETROLEUM (BP),
JOLIET, ILLINOIS;
ET AL:
ANTITRUST

Synopsis: Request for authorization to travel to Washington D.C. on February 25 and March 1-2, 2005 to conduct interviews scheduled by DOJ Antitrust Division attorneys of witnesses from Europe and to travel to San Antonio on March 21, 2005 for briefing to San Antonio agents as set forth in referenced EC

Reference: 60-CG-122695 Serial 8

Details: This is an international price fixing case involving the oil industry's performance chemical production. Koch Industries, dba Flint Hills Resources (FHR), recently purchased an oil refinery complex in Joliet, Illinois from British Petroleum (BP). This Joliet, Illinois facility produces purified isophthalic acid (PIA) and trimellitic anhydride (TMA) and Maleic Anhydride (MAN) which are known in the industry as intermediate chemicals.

PIA is a product most commonly used in polyethylen terephthalate (PET) production of clear plastic bottles such as water and soda bottles. FHR's PIA production from its Joliet facility is shipped and sold globally. TMA is a product commonly used in the production of the plastic coating for certain categories of wires used in electronics, automotive and lighting.

-10

S: 046 [redacted] 01.EC [redacted] 60-CG-122695 [redacted] b6 b7C

The TMA provides a certain level of heat resistence for the wire coating. FHR's TMA production from its Joliet facility is shipped and sold globally.

After purchasing the facility from BP, representatives of FHR have been contacted by competitors from Italy, Japan, and Singapore inquiring whether FHR will maintain the same price fixing arrangement that these companies had with BP.

	b7D

As previously addressed in referenced EC, Attorneys from the Department of Justice have requested that reporting agent as case agent be present in San Antonio to participate in a briefing of agents from the San Antonio office on March 21, 2005 who are scheduled to assist in conducting interviews and the serving of subpoenas on certain subjects and targets of captioned case who are attending the International Petrochemical Conference in San Antonio on April 3-5, 2005. San Antonio has previously been advised of these dates in referenced communication and discussions with San Antonio agents.

DOJ, Antitrust Division is paying for the cost of reporting agents travel and lodging for each of these dates. DOJ, Antitrust Division has previously paid for reporting agent on two previous trips to D.C. to conduct witness interviews. As such, there is no cost to the FBI for requested travel and no FD-540 is being submitted.

♦♦

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/08/2005

To: Criminal Investigative **Attn:** Public Corruption/Governmental Fraud Unit

Houston **Attn:** [redacted] b6 b7C
San Antonio **Attn:**

From: Chicago
Squad SRA2
Contact: SA [redacted] b6 b7C b7E

Approved By: [redacted]

Drafted By:

Case ID #: 60-CG-122695 (Pending)

Title: UNKNOWN SUBJECTS,
aka - ET AL;
KOCH INDUSTRIES, INC.
dba FLINT HILLS RESOURCES,
WICHITA, KANSAS
BRITISH PETROLEUM (BP),
JOLIET, ILLINOIS;
ET AL:
ANTITRUST

Synopsis: Request to Houston division to make SA [redacted] b6 b7C available to assist in San Antonio interviews of Japanese nationals during the International Petrochemical Conference in San Antonio on April 3-5, 2005

Reference: 60-CG-122695 Serial 8

Details: Captioned case is an international price fixing case involving the oil industry's performance chemical production division. Koch Industries, dba Flint Hills Resources (FHR), recently purchased an oil refinery complex in Joliet, Illinois from British Petroleum (BP). This Joliet, Illinois facility produces purified isophthalic acid (PIA) and trimellitic anhydride (TMA)and other chemical products which are known in the industry as intermediate chemicals. These chemicals are used in the production of plastic water and soda bottles, wiring, and other applications.

After purchasing the facility from BP, representatives of FHR were contacted by performance chemical competitors from

b6 b7C

5:067 [redacted] 01.EC [redacted] CHICAGO COPY 60-CG-122695 [redacted]

Italy, Japan, and other countries inquiring whether FHR will maintain the same "arrangement" that these companies had with BP. Several of the E-Mails and communications between FHR and its competitors strongly suggest that the competitors are seeking a price fixing arrangement similar to the one they may have had with BP.

[redacted] b7D

As set forth in the referenced communication, FBI Chicago and San Antonio will be conducting target interviews and serving subpoenas at the International Petrochemical Conference in San Antonio on April 3-5, 2005. Most of the international companies, including FHR, which compete within the chemical specialty industry are expected to be in attendance. Whereas a number of the targets are foreign nationals or foreign companies which do not reside within the United States, and whereas all of these targets will be in one place at the same time, this conference provides a unique opportunity to attempt simultaneous subject interviews and to serve subpoenas while they are within the jurisdiction of the United States.

A number of the officials targeted to be interviewed are representatives of Japanese companies. As such, it is requested that SA [redacted] be made available to assist with these interviews. The utilization of SA [redacted] Japanese language skills would greatly enhance the effectiveness of the interviews of the Japanese nationals. b6 b7C

In March 21, 2005 at 1:00 P.M. in FBI spaces at the San Antonio offices, approximately two weeks before the planned exercise, the case agent and DOJ Antitrust attorneys involved in the case will fly to San Antonio to meet the San Antonio agents and provide them a briefing, and interview packets concerning the case and the individuals who would be interviewed. It is requested that SA [redacted] attend this briefing/planning meeting on the planned exercise.

DOJ Antitrust division has indicated that they would pay for the travel expenses of SA [redacted] travel to San Antonio for the briefing on March 21, 2005 and the actual interviews during the International Petrochemical Conference in San Antonio on April 3-5, 2005. b6 b7C

Set Lead 1: (Discretionary)

HOUSTON

AT HOUSTON, TEXAS

Please advise Chicago whether SA [redacted] can be made available to assist in interviews in captioned case. b6 b7C

Set Lead 2: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

Read and Clear

Set Lead 3: (Info)

SAN ANTONIO

AT SAN ANTONIO, TEXAS

Read and Clear

♦♦

S:083[redacted]01.302

b6
b7C

60-CG-122695

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/07/2005

[redacted] b6 b7C b7D

[redacted] telephone number [redacted] mobile telephone number [redacted] was advised of the identity of the interviewing agent and the purpose of the interview. It was explained to [redacted] that the voluntary interview was being conducted pursuant to a non-prosecution/cooperation agreement. After reviewing the terms of this agreement, [redacted] then signed a letter which set forth the terms of the agreement. Also present for the interview were [redacted] attorneys [redacted] and [redacted] of [redacted], telephone [redacted] b6 b7C b7D

Also present were Department of Justice, Antitrust Division personnel, [redacted] and [redacted] and [redacted] provided the following information:

[redacted] b5 b6 b7C b7D

Investigation on 3/1/05 at [redacted] b6 b7C b7D

File # 60-CG-122695 Date dictated 3/7/05

by SA [redacted]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

S: 08[redacted]01.302

60-CG-122695-27

[redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/15/2005

[redacted] b6 b7C b7D

[redacted] telephone number [redacted] mobile telephone number [redacted] was advised of the identity of the interviewing agent and the purpose of the interview. It was explained to [redacted] that the voluntary interview was being conducted pursuant to a non-prosecution/cooperation agreement. After reviewing the terms of this agreement [redacted] then signed a letter which set forth the terms of the agreement. Also present for the interview were [redacted] attorneys [redacted] and [redacted] of [redacted] telephone [redacted] Also present were Department of Justice, Antitrust Division personnel [redacted] and [redacted] then provided the following information: b6 b7C b7D

[redacted] b5 b6 b7C b7D

Investigation on 3/2/05 at [redacted] b6 b7C b7D

File # 60-CG-122695 Date dictated 3/11/05

by SA [redacted]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/14/2005

To: Chicago **Attn:** SSA [redacted] b6 b7C

From: Chicago
Squad SRA2
Contact: SA [redacted] b6 b7C b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 60-CG-122695 (Pending) -23

Title: UNKNOWN SUBJECT(S),
aka - ET AL:
KOCH INDUSTRIES, INC.,
dba FLINT HILLS RESOURCES,
WICHITA KANSAS,
BRITISH PETROLEUM (BP),
JOLIET, ILLINOIS;
ET AL;
ANTITRUST

Synopsis: Request for CART assistance with investigation planned in captioned case for April 3-5 in San Antonio, Texas

Reference: 60-CG-122695 Serial 8

Enclosures: Chicago RCFL Request For Service Form

Details: This is an international price fixing case involving the oil industry's performance chemical production division. Koch Industries, dba Flint Hills Resources (FHR), recently purchased an oil refinery complex in Joliet, Illinois from British Petroleum (BP). This Joliet, Illinois facility produces purified isophthalic acid (PIA) and trimellitic anhydride (TMA) and Maleic Anhydride (MAN) which are known in the industry as intermediate chemicals. These chemicals are used in the production of plastic for water and soda bottles, for electrical wire coating, as well as other applications.

After purchasing the facility from BP, representatives of FHR were contacted by performance chemical competitors from Italy, Japan, and other countries inquiring whether FHR will maintain the same "arrangement" that these companies had with BP. Several of the E-Mails and communications strongly suggest that

S:\CG [redacted] DOJ.EC b6 b7C

CG FILE COPY [redacted] 60-CG-122695 [redacted]

the competitors are seeking a price fixing arrangement similar to the one they may have had with BP.

As set forth in referenced EC, the FBI will be conducting target interviews, executing search warrants, and serving subpoenas at the International Petrochemical Conference in San Antonio on April 3-5, 2005. Most of the international companies, including FHR, which compete within the chemical specialty industry are expected to be in attendance. [redacted] b7E

[redacted] Three DOJ, Antitrust Division attorneys and several of their paralegals will be on scene with investigating agents to assist in the interviews and the obtaining and execution of search warrants.

It is anticipated that requesting agent and assisting agents from the San Antonio and Houston office will be executing [redacted] b7E at the conference to seize their laptops and PDA's in addition to the interviews. Requesting agent is currently scheduled to appear before a Magistrate judge in San Antonio on March 30-31 to obtain the search warrants.

As such, it is anticipated that as many as [redacted] b7E will be seized. It is hoped that these [redacted] can be imaged or copied while the targets are still attending the conference so we can return the [redacted] to them as soon as possible. [redacted] b7E

Requesting agent has consulted with San Antonio and has learned that because of the size of their office, [redacted] SSA [redacted] advised b6 requesting agent that Chicago RCFL could send two Chicago CART b7C examiners with the necessary equipment and with the assistance of b7E a CART examiner from the North Texas RCFL to complete, in most cases, the desired imaging or copying on scene at the conference in San Antonio.

As such, authorization is requested to use division travel funds for two Chicago RCFL CART certified examiners to travel to San Antonio, Texas during April 3-5, 2005 to image or copy [redacted] seized pursuant to search warrants executed at the in International Petrochemical Conference in San Antonio on April 3-5, 2005. b7E

It is noted that the Department of Justice, Antitrust Division, is already paying for the travel expenses of two Chicago agents including requesting agent to go to San Antonio as well as a third Japanese speaking agent from the Houston division to attend and assist in the investigation at this conference.

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